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REPORT

OF THE

# SECRETARY OF THE INTERIOR

FOR THE PISCAL YEAR ENDED JUICE 80 1910



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OF THE

# SECRETARY OF THE INTERIOR

# FOR THE FISCAL YEAR ENDED JUNE 30 1910



#### BUREAUS OF THE INTERIOR DEPARTMENT.

#### GENERAL LAND OFFICE.

Organized as a bureau of the Treasury Department under act of April 25, 1812 (2 Stat. L., 716).

First Commissioner, Edward Tiffin, of Ohio; appointed May 7, 1812.

Became a bureau of the Interior Department when that department was organized under the act of March 3, 1849 (9 Stat. L., 395).

#### INDIAN OFFICE.

Organized as a bureau of the War Department under act of July 9, 1832 (4 Stat. L., 564).

First Commissioner, Elbert Herring, of New York; appointed July 10, 1832.

Became a bureau of the Interior Department when that department was organized.

#### BUREAU OF PENSIONS.

Organized as a bureau of the War Department under act of March 2, 1833 (4 Stat. L., 622).

First Commissioner, James L. Edwards, of Virginia; appointed March 3, 1833. Became a bureau of the Interior Department when that department was organized.

#### PATENT OFFICE.

Organized as a bureau of the State Department under act of March 4, 1836 (5 Stat. L., 117).

First Commissioner, Henry S. Ellsworth, of Connecticut; appointed July 4, 1836,

Became a bureau of the Interior Department when that department was organized.

#### BUREAU OF EDUCATION.

Organized under act of March 2, 1867 (14 Stat. L., 434).

Became a bureau of the Interior Department July 1, 1869, under act of July 20, 1868 (15 Stat. L., 106).

First Commissioner, Henry Barnard, of Connecticut; appointed March 14, 1867.

#### GEOLOGICAL SURVEY.

Organized as a bureau of the Interior Department under act of March 3, 1879 (20 Stat. L., 394).

First Director, Clarence King, of New York; appointed April 14, 1879.

#### RECLAMATION SERVICE.

Organized under act of June 17, 1902 (32 Stat. L., 388), under the Director of the Geological Survey, Charles D. Walcott.

First Director, F. H. Newell, of Pennsylvania; appointed March 9, 1907.

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#### BUREAU OF MINES.

Organized as a part of the Interior Department under the act of May 16, 1910 (36 t., 369); first director, Joseph A. Holmes, of North Carolina, appointed September 910.

(To be inserted on page 2 of the Annual Report of the Secretary of the Interior, 1910.)

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### REPORT OF THE SECRETARY OF THE INTERIOR.

Washington, D. C., December 1, 1910.

Sir: I have the honor to submit for your consideration my second annual report of the operations of the Department of the Interior, together with the report of the bureaus, offices, institutions, and Territories under its supervision.

The activities of this department are so extensive and varied that it will be useful to consider its

#### ORIGIN AND PRINCIPAL FUNCTIONS.

As a result of the accession of territory following the Mexican war and the great increase in population, wealth, and business throughout the country, an executive department which should transact the public business relating to domestic affairs was urgently demanded. time the work pertaining to the Patent Office was under the supervision of the Secretary of State; to the General Land Office and the Census under the Secretary of the Treasury; to Indian Affairs under the Secretary of War; and pensions were granted under the joint supervision of the Secretary of War and of the Secretary of the Navy. Accordingly, Congress, by the act of March 3, 1849, entitled "An act to establish the Home Department \* \* \*," created the Department of the Interior. This act conferred administrative authority upon the Secretary of the Interior over the General Land Office, the Patent Office, the Office of Indian Affairs, and the Pension Office; also supervision and control over the officers of the Census, and over accounts of marshals, clerks, and other officers of the United States courts: jurisdiction over the Commissioner of Public Buildings in Washington, over the warden and inspectors of the District of Columbia penitentiary, and over the lead and other mines of the United States.

This constituted the Department of the Interior, then, as now, the depository of governmental functions which could not be conven-

iently placed under the head of any other department. After its creation there was first added in 1855 the Government Hospital for the Insane, for the treatment of the insane of the army, the navy, and the District of Columbia, and in 1857 a supervisory authority was given to the department over the Columbia Institution for the Deaf, Dumb, and Blind, which in a modified sense still continues. As an incidental function during the same year, the Secretary was directed to construct a wagon road from Fort Kearny, Nebr., to the eastern boundary of the State of California, as well as several other roads in the Western States and Territories.

In 1862 a Returns Office was established in the department, in which should be filed all contracts executed on behalf of the War, Navy, and Interior departments. In 1867 the Department of Education was created, which by subsequent legislation became the Bureau of Education, attached to the Department of the Interior. Freedmen's Hospital in 1871 was placed under the control of the Secretary of War, but in 1874 the control of this institution was transferred to the Secretary of the Interior. In 1879 the Geological Survey was authorized as a bureau of the Interior Department, and in 1884 the Bureau of Labor was established in the department. By the act of March 1, 1873, the Department of the Interior was given jurisdiction ver the Territories of the United States, including Alaska. Howard University was established by the act of March 2, 1867, and the Secretary of the Interior given supervision over congressional appropriations for this institution. Beginning with 1872 the Government undertook the establishment of national parks by the creation of the Yellowstone National Park, and placed its supervision under the Secretary of the Interior. All the national parks thereafter created on the public domain were placed under the jurisdiction of the Interior Department, including the Hot Springs Reservation in Arkansas. By virtue of the reclamation act of June 17. 1902, the Reclamation Service came into existence, to be administered by the Secretary of the Interior, and during the last session Congress established a Bureau of Mines in the department.

Various other duties of a miscellaneous kind have been imposed from time to time on the Secretary of the Interior; thus by section 1818 of the Revised Statutes he is required to prevent the improper appropriation or occupation of any of the public streets, avenues, squares, or reservations in the city of Washington, and by the act of March 3, 1875, together with the Secretary of the Treasury and the Postmaster-General, he is required to approve plans and estimates for public buildings throughout the United States. He was required to execute the policy of the Government in regard to certain of the Pacific railroads, to supervise the slave trade, and to execute the act in relation to the colonization of Liberia.

Various powers and duties have been from time to time transferred from the Secretary of the Interior, as follows:

The duties imposed upon the department relating to the suppression of the slave trade were rendered obsolete by the termination of the civil war. Jurisdiction over the accounts and expenditures of district attorneys, United States marshals, and other court officers was transferred to the Department of Justice. The appointment and removal of the warden of the jail of the District of Columbia were placed under the supreme court of the District, and appropriations for such officer and his employees are now supervised by the Department of Justice. The office of Commissioner of Public Buildings was abolished and the duties thereof devolved upon the Chief Engineer of the Army. On May 16, 1862, the Agricultural Division of the Patent Office was transferred to what was then authorized by Congress as the Department of Agriculture. The Bureau of Labor was transferred from the Department of the Interior and made an independent establishment under the name of the Department of Labor by the act of June 13, 1888, and the Census Office was transferred from the Department of the Interior to the Department of Commerce and Labor when that department was created. The supervision of the national forests was transferred to the Secretary of Agriculture in 1905.

At the present time the Interior Department embraces supervision over the following offices and institutions:

The General Land Office, Office of Indian Affairs, Pension Office, Patent Office, Geological Survey, Bureau of Education, Bureau of Mines, Reclamation Service, the Territories (exclusive of insular possessions), national parks, American antiquities, Government Hospital for the Insane, Freedmen's Hospital, Howard University, and Columbia Institution for the Deaf and Dumb. In the District of Columbia supervision over the office of the Superintendent of the United States Capitol Building and Grounds; protection from improper appropriation or occupation of the public streets, avenues, squares, and reservations in the city of Washington; the issuing of deeds to certain lots in that city; and other duties in connection with other activities in the District of Columbia and elsewhere.

## WHAT SHOULD BE TAKEN AWAY OR RESTORED TO RENDER THE OPERATIONS OF THE INTERIOR DE-PARTMENT MORE HOMOGENEOUS?

If, as originally intended, the Interior Department was to possess the bureaus and institutions relating to domestic affairs, it has lost that distinctive feature by the creation of two other departments which have taken over parts of its functions, viz, the Department of Agriculture and the Department of Commerce and Labor.

If I may venture the opinion, it would have been more logical to have consolidated the Interior Department and Department of Agri-

culture at the time of the creation of the Department of Commerce and Labor and transferred from them certain functions to the Department of Commerce and Labor and other departments, as, for instance, the Patent Office to the Department of Commerce and Labor; the Pension Office to the War and Navy Departments, where it was originally lodged. Under the existing system duplication of governmental effort necessarily arises in the exercise of the functions of departments with divided jurisdiction over the same subject-matter, as now exists in some measure between the Interior Department, the Department of Agriculture, and the Department of Commerce and Labor. This is well illustrated in connection with the jurisdiction of the Departments of Agriculture and of the Interior over forest reserves, and of the newly created Bureau of Mines in the Interior Department and the Bureau of Standards in the Department of Commerce and Labor. It would seem to be apparent that the supervision of the Capitol building and grounds should be transferred to the Treasury Department, under the Supervising Architect's Office; that the Returns Office should be attached to the Treasury Department; that the supervision of the Columbia Institution for the Deaf and Dumb and of the Maryland School for the Blind should be transferred to the District of Columbia; that all supervisory matters relating to the District of Columbia be transferred to the Commissioners of the District; and that the supervisory authority over the islands of Samoa and Guam be transferred to the Bureau of Insular Affairs.

# BUILDINGS IN WASHINGTON OCCUPIED BY THE INTERIOR DEPARTMENT.

The government buildings under the jurisdiction of the Interior Department in Washington for the use of that department are the Patent Office building, the old Post-Office building, the Pension building, the Government Hospital for the Insane, Freedmen's Hospital, and buildings erected by the Government in connection with Howard University. Certain of the bureaus, such as the Geological Survey, the Reclamation Service, and the Bureau of Mines, occupy rented quarters, and the department also rents for the Civil Service Commission, through congressional direction, the building occupied by the commission. The rentals paid by the department for the fiscal year 1910 amounted to \$55,900. (For the details of rentals for 1910 and other years, see Appendix A.)

It would be economy for the Government to build the necessary structures to care for all the bureaus which can not be accommodated in the three buildings of the Government, and the congested condition of the Patent Office and the Secretary's office makes some action in this direction necessary in the near future.

#### NEW METHODS AND ECONOMIES.

The department is pursuing careful methods of study into the subject of more economical methods of administration in public business in all of the branches of the service, both in Washington and in the field, and the estimates for appropriations as recommended to Congress have been reduced to the smallest amount believed to be consistent with safe and effective public service. As to certain institutions connected with the department, some recommendations for appropriations have been denied in the estimates for the reason that Congress has not thus far authorized a comprehensive scheme or policy of development—as, for instance, in connection with Howard University, Freedmen's Hospital, the national parks, and the Government Hospital for the Insane.

The committee and subcommittees recently appointed in this department at your instance in furtherance of the installation of more economical and businesslike methods of administration, while preparing to submit a full report of the results of their labor, are recommending from time to time changes in methods of procedure obviously in the interest of good service, and these recommendations, where the changes can be effected by order of the head of the department without change in existing law, are being put into effect immediately.

I not only have made an effort to become personally acquainted with field conditions in the various branches of the service, but, where possible, have sent various bureau officers to make business or inspection trips so as to familiarize them with field conditions. This policy has already produced suggestions for economy in administration, increased revenues in various directions, recommendations for the adoption or change of laws and regulations for the betterment of the service, and a more intelligent and efficient understanding of administrative problems.

#### APPROPRIATIONS AND REVENUES.

The annual appropriations of the department for the last five years are shown in Appendix B.

Certain of the bureaus, such as the General Land Office and the Patent Office, have produced revenues beyond their actual expenditures, as is shown in Appendix C.

#### EMPLOYEES.

The appropriations for the maintenance of the service of the department and of its buildings and grounds can be lessened only by a unification and simplification of business methods in the several bureaus and the establishment of a retirement fund for government employees. So long as a retirement fund is withheld, the practice

of pensioning superannuated and defective, though deserving, clerks by retaining them on the salary rolls must continue. This necessarily results in many competent persons receiving inadequate salaries and a reluctance to reward the highest grade of service by compensatory remuneration.

A table showing distribution of force in various bureaus and number in field force by States and Territories is shown in Appendix D.

I am glad to be able to say that the work of the department shows that important progress was made during the past year in all branches of the service and in securing legislation in the public interest.

#### INCREASE IN VOLUME OF WORK.

It is hardly possible for the public to realize the volume of work handled by the various bureaus and agencies of this department and its constant increase.

Tables 1, 2, and 3 in Appendix E instance the increase in correspondence and other work of some of the bureaus.

#### PUBLIC LANDS.

The bureaus involved in the distribution of the public lands are the General Land Office, the Geological Survey, the Reclamation Service, and the Office of Indian Affairs. A certain amount of cooperation between them is necessary to accomplish the highest public service. This cooperation, I am glad to say, exists in a larger measure than ever before in the history of the department. The General Land Office is the clearing house for the disposition of all the public lands and has to deal with their location, settlement, survey, entry, and patenting; the Geological Survey with their classification, topographical survey, and investigation of their mineral and water resources; the Reclamation Service with the irrigation of arid lands; and the Office of Indian Affairs with the supervision and allotment of Indian lands.

#### PUBLIC DOMAIN: HOW CREATED.

Upon the organization of the Government it became the proprietor of the public domain, as the successor to the Confederation, under deeds of cession from the States of New York, Virginia, Massachusetts, Connecticut, and South Carolina. By direct cession from North Carolina and Georgia it became vested with additional territory. As a nation the United States thus became the sole custodian, with the right of sale or other disposition, of all such territory as in the judgment of Congress shall be deemed best, it being understood "to be a common estate, to be granted out on terms beneficial to the United States," for the liquidation of the debt created by the Revolution.

These cessions to the Federal Government embraced approximately 259,000,000 acres.

Of purchases, the first was from France, in 1803, known as the "Louisiana Purchase," at a cost of \$27,000,000, and comprising an area of about 561,000,000 acres. The Florida purchase of 42,000,000 acres, at a cost of about \$6,500,000, was made in 1819. The Oregon country, aggregating 181,000,000 acres, was acquired by discovery (in 1792) and treaty with Spain (in 1819) and occupation. Mexican acquisition, by treaty of Guadalupe-Hidalgo of 1848, contained an area of 329,000,000 acres and cost \$15,000,000. The Texas purchase of 1850 contained an area of 64,000,000 acres and cost \$16,000,000. The "Gadsden Purchase" of 1853 embraced an area of 29,000,000 acres, at a cost of \$10,000,000, and, lastly, the Alaska purchase of 1867 had an area of 370,000,000 acres, at a cost of \$7,000,000, the total area of all these purchases being 1,576,000,000 acres, costing the Government in purchase money over \$88,000,000. Including the original cessions, the area covered into the public domain has amounted, in round numbers, to 1,835,000,000 acres.

The area of unappropriated and unreserved public lands is shown, by States and Territories, in the following table:

Area of public domain unappropriated and unreserved, by States and Territories.

	Acres.
Alabama	108, 210
Alaska	368, 014, 735
Arizona	41, 491, 369
Arkansas	512, 705
California	24, 864, 884
Colorado	21, 726, 192
Florida	453, 009
Idaho	24, 743, 804
Kansas	137, 180
Louisiana	88, 911
Michigan	107, 890
Minnesota	1, 563, 302
Mississippi	47, 058
Missouri	2, 510
Montana	36, 015, 9 <b>43</b>
Nebraska	1, 879, 486
Nevada	56, 474, 688
New Mexico	36, 454, 692
North Dakota	1, 410, 225
Oklahoma	5, 007
Oregon	17, 580, 5 <b>73</b>
South Dakota	4, 562, 804
Utah	35, 955, 554
Washington	3, 196, 059
Wisconsin	14, 460
Wyoming	34, 575, 159
Total	711, 986, 409

#### NATIONAL POLICY: HOW MANIFEST.

The national policy regarding the public domain has been uniformly exercised in the disposition of public lands, as follows:

- (1) In reserving out of the public domain such parcels of public lands as may be necessary for the common defense or the general welfare; or, in other words, such as are required to be appropriated for national uses, immediate and expectant. Under this policy Congress has established military and naval reserves, Indian reservations, national parks, light-house reserves, forest reserves, national monuments, etc., which altogether embrace approximately 300,000,000 acres of the public lands.
- (2) By granting public lands in aid of national improvements and works, such as highways, and the promotion of educational and charitable purposes. See Appendix F.
- (3) By grants for bounties to soldiers and sailors in recognition of services in defense of the Government and donations in satisfaction of other special services which equity or merit would commend.
- (4) In selling or otherwise disposing of the remainder to private citizens, under such regulations as Congress finds necessary for securing title to bona fide settlers or purchasers.

In brief, the methods of disposal have almost uniformly been by reservation, grant, donation, or sale. Under the three latter methods the grantees have been invested with the fee-simple title. It is true, however, that lead mines were leased for a brief period under authority of Congress. Congress has never authorized a qualified title, except by way of easements for rights of way, probably on the theory that the "primary disposal" meant the absolute disposal as viewed by the earlier ordinances of Congress.

#### THE HOMESTEAD POLICY.

The homestead bill for granting free homes to the landless settler became a national question in 1852, and ten years later it was written into law and approved by Abraham Lincoln, after a previous veto by President Buchanan in 1860 on the ground that Congress did not have the power to make a donation of public lands to settlers or to the States. Here was inaugurated a radical change of policy. For eighty years the public lands had been treated as a direct national asset for the purpose of acquiring revenue; thenceforth they were to be granted to actual settlers who would occupy, improve, and cultivate them for a term of years, and then receive a patent free of acreage charge, with fees paid sufficient to cover cost of survey and transfer of title. Of this policy, President Johnson, in his annual message in 1865, said: "The homestead policy was established only after long and earnest resistance. Experience proves

its wisdom. The lands in the hands of the industrious settlers, whose labor creates wealth and contributes to the public resources, are worth more to the United States than if they had been reserved as a solitude for future purchasers."

#### THE MINERAL LAND POLICY.

For nearly forty years the statutes have declared that all valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are to be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase by citizens of the United States and those who have declared their intention to become such. Rich deposits of precious metals in the Pacific States and Territories have been discovered and located under these general mining laws and have been operated for many years. Granting defects in the laws, they have accomplished their purpose in causing the mineral resources to be developed and have thus contributed enormously to the wealth of the nation. It is hardly reasonable to believe that any material change will be made in these laws or in the method of disposal of the lode and placer claims of the mineral regions. Here, as in the settlement laws, the Government's liberality has had its reward in the material prosperity of the people, and while abuses have existed, they can not be charged so much to the law as to evasions of the law.

#### GENERAL OBSERVATIONS AS TO USE OF PUBLIC LANDS.

Heretofore, as will be seen, it has been the policy of Congress to dispose of the public lands to those who would make the best use of them; none were disposed of with a view to securing revenue for governmental support. Even the coal lands were sold at nominal figures, and until a few years ago they were not entered even at that figure, except where market facilities made the land salable for their product.

Under more conservative theories the question now is of saving the remnant of the public lands from monopolization or misuse without abandoning the old policies of encouraging development. The highest productive use of these lands is the concern of the people. The methods of securing this use are the concern of the national and state governments.

By the Constitution Congress is made the steward of the public domain and for its stewardship it is responsible to the people. In selling or otherwise disposing of this national estate the executive can move only as directed or authorized by Congress; therefore all questions relating to a change from the existing status or to policy over this estate reside alone in the legislative branch of the Government, and all popular movements looking to the reformation of our land system must of course be addressed to Congress. Conse-

quently the movement to conserve the national resources in this national estate of lands—that is, to secure the wisest and most lasting benefit to the nation in their use—is a matter with which Congress must deal.

#### LEGISLATIVE AND ADMINISTRATIVE PROGRESS—RECOMMENDA-TIONS.

A portion of my last annual report was devoted to suggestions for new legislation or modifications of existing law to secure the best use of the public lands, reservations, and national resources. The legislation on these subjects during the last session of Congress was, briefly, as follows:

- (1) Law authorizing the temporary withdrawal of public lands for water-power sites, irrigation, classification, or other public purposes.
- (2) Law authorizing issuance of \$20,000,000 in certificates for completion of existing reclamation projects.
- (3) Law separating the right to mine coal from the title to the surface of public lands and opening the surface to entry under agricultural laws.
- (4) Law providing for the compulsory survey of lands in railroad grants and reimbursement to the Government for the surveys.
- (5) Law authorizing the Secretary of the Interior to withhold from entry lands in reclamation projects until farm units have been established and water is ready for irrigation.
- (6) Law authorizing assignment of homestead entries in reclamation projects after five years' residence, cultivation, and improvement.
- (7) Amendment to the Carey Act, permitting temporary withdrawal of lands susceptible of reclamation pending examination of the lands and the preparation and filing of map and plan of irrigation by the States.
- (8) Law authorizing the Interior Department to dispose of the mature living and dead and down timber on Indian reservations.
- (9) Law appropriating for and authorizing survey of agricultural lands in the District of Alaska.

From the work of the department during the past year may be determined the advancement made in the disposition of public lands under the various acts of Congress and of its activities in protecting them from illegal acquisition, also the progress made in classifying and segregating the public lands to enable Congress to apply new methods of control in the disposal of lands that demand restrictive methods of alienation or use.

Increased appropriation for the field service of the General Land Office, expiring June 30, 1910, enabled that bureau measurably to clean up the vast number of cases in arrears pending under fraud charges. The appropriation for field work has been reduced a quarter of a million dollars for the current year, but with the activity

of the force as now constituted the work of investigation of land cases will be kept up with an equal or greater degree of efficiency.

On June 30, 1909, there were on hand 35,036 cases for investigation. During the year ended June 30, 1910, there were received 37,811 cases, 46,153 cases were investigated, and 43,554 cases were closed. Four hundred and sixty-six civil and criminal convictions were found; \$227,211.79 was tendered for settlement of trespasses on the public domain; \$114,653.05 was actually paid in as the result of civil and criminal actions. As the result of investigations, 4,665 entries were canceled; 12,065 acres were restored through proceedings for the removal of unlawful inclosures.

The area of public and Indian lands included in original entries and filings during the fiscal year 1910 amounted to 26,391,269.09 acres, an increase of 6,498,765.33 acres over the area entered during the year 1909.

The area patented during the fiscal year 1910 amounted to 10,983,150.12 acres, of which 7,404,598 acres were disposed of under the homestead laws.

The total cash receipts from the sales of public lands, including fees and commissions, were \$8,371,637.10; from the sales of Indian lands, \$2,037,551.68; reclamation water-right charges, \$770,586.35; depredations on public lands, sales of government property, and copies of records, \$284,148.93, making the total cash receipts from all sources in connection with the public lands \$11,463,924.06, a decrease of \$752,491.33 from the fiscal year 1909.

The excess of receipts over all expenditures and estimated liabilities of the public-land service is \$8,284,560.57.

There has been an increase over previous years in area of lands entered, but a decrease in the acreage patented, although patents issued have exceeded in number those issued during the preceding year, showing a wider distribution of the lands patented.

For the survey of the public lands, Congress at the last session increased the appropriations over former years, and authorized the abandonment of the old "contract method" of surveys. The reports thus far received from the department's surveying forces in the field indicate that the surveys are being made under the new system at a reduced cost per acre, and at a very great increase of speed. Surveys that have had heretofore to await years of examination will now be adjusted and approved, on receipt of data from government surveyors, without delay.

In view of the conflict between water-power withdrawals and applications for rights of way for purposes of irrigation, as well as the development of power, the department is granting, after field investigation, rights of way for irrigation where the value of the site is found to be higher for the reclamation of arid lands than for the

development of commercial power. There have been also granted, after field investigation, some revocable permits under the act of 1901 in cases where the claims had been initiated prior to withdrawal and appeared not to conflict with the public interest. All applications of both classes, however, have been granted under stipulations designed to limit and control the use. The system of granting revocable permits under the act of 1901 is unsatisfactory both to the Government and the applicant and tends to discourage investment and the healthful development of such projects, especially in cases where large capital is necessary for the construction of plants and works.

The passage of the act allowing surface entries on lands classified as coal lands has been a relief against the tension created by keeping the enormous area of over 80,000,000 acres from settlement. These lands are now open to agricultural entry with authority to issue patents on full compliance with law, except that the patentee secures no right in or to the deposits of coal that may be found in the lands.

Great activity has existed in connection with the lands opened under the enlarged homestead act of 1909 allowing entry of 320 acres. There have been classified and opened for entry under this act approximately 188,000,000 acres, and from time to time further classifications will be made and the lands so classified opened to settlement. (For tables showing designation by States under the enlarged homestead act opened to settlement, see Appendix G.)

The existing withdrawals of coal, oil, phosphate, and water-power lands aggregate at this time in round numbers over 91,000,000 acres. (For tables showing the acreage of the various withdrawals by States, see Appendix H.)

A failure to release much of the lands now under withdrawals by new and amendatory acts directing the manner of their disposition will inhibit development and greatly retard the new and struggling settlements and industries of many of the Western States and Territories.

All the coal lands in Alaska not located prior to November 12, 1906, are under the bond of withdrawals. Those located prior to said date are for the most part under departmental investigation on charges of fraud or irregularities, etc. These investigations have been taken up under a corps of trained officers with the view of securing the exact status of all such locations and entries. In the meantime no patents have issued and none will be issued except upon a full showing of compliance with law and departmental regulations. A class of entries, known as the "Cunningham entries," made in 1907, have provoked wide discussion and popular interest, largely because of their alleged value and method of attempted acquisition.

In view of such conditions I deem it of the highest importance that all these cases, involving 33 entries, or 5,280 acres, of coal lands, be transferred from the jurisdiction of the General Land Office directly to the court of appeals of the District of Columbia for consideration and adjudication, without the necessity of a ruling as to the validity or invalidity of these entries by the Commissioner of the General Land Office as is now required in such cases. This procedure may well be provided by special direction in the bill now pending in Congress for the authorization of appeals in land cases from the Interior Department to that court. I will have occasion to discuss further the importance of providing a method of appeal to the courts from decisions of the department in land cases.

Reverting to the condition of the public-land laws in Alaska, even the most cursory examination of them, in view of local conditions of climate, of isolation, except as to ocean transportation, and of the vast extent and lack of homogeneity of the Territory, satisfies all practical men that they are crude and unsuited to the best interests of the Government. On the other hand, experiments at amendment have placed the ban on development so that progress is at a deadlock. Without domestic coal in Alaska railroad construction and operation is prohibitive, and without both only the roughest pioneer development is possible.

In addition to the necessity of opening up and developing coal deposits in Alaska for railroad operation, it is equally important that coal should be available for mining operations, for the navy, and for trans-Pacific commerce.

The governor of Alaska in his annual report makes the following observations respecting the inconsistent attitude of the Government in withholding the development of the coal deposits in Alaska:

In the interest of general conservation of coal, Alaska coal should be mined and used. For every 5 tons of eastern coal which is brought around Cape Horn to the Pacific coast, approximately 1 ton is burned to make steam for its transportation. To withhold the Alaska coal, therefore, is not conservation, but waste. Moreover the Atlantic seaboard coal should be kept there as far as possible, where it is needed and where it will be needed still more in the future, in the centers of population. The Pacific coast annually uses perhaps 1,000,000 tons of manufactured iron, the transportation of which from the Eastern States consumes a large quantity of coal. This is not conservation; it is waste. Alaska has an abundance of coking coal which, if available, could be used for the manufacture of Pacific coast iron ores, thus not only avoiding the waste of coal now caused by the transportation of eastern manufactured iron, but building up a new industry on the Pacific.

#### NEW OR AMENDATORY LEGISLATION.

New or amendatory legislation respecting our public lands should be direct, simple, effective, and relate principally to the proper form 67971—10——2 of disposition of the withdrawn lands—water-power sites, oil lands, coal lands, and rights of way over public lands.

As has been shown, the unappropriated public lands of the public-land States and Territories amount to about 712,000,000 acres, and, as compared with the private lands in these various States, are a small percentage of the territory thereof. The Federal Government should not undertake or assume the entire burden of the conservation of the natural resources of the States in which these lands are situated, for it has been demonstrated that the States are capable of taking care of these questions in a large measure, as is shown by the legislation effectuating these purposes in States like Massachusetts and Washington, at the extremities of our country.

#### COAL LANDS.

Respecting the disposition of coal in the public lands I call attention to what was said on this subject in my last annual report, to the effect that new legislation was desirable and that the most advantageous method of disposal of coal deposits will be found in a measure authorizing the lease or sale thereof subject to forfeiture for failure to exercise the rights granted, with restrictions on mining operations in order to conserve the deposit as a public utility. In my annual report as Commissioner of the General Land Office in 1907 I gave the reasons which impelled me to believe that the best interests of the Government will be subserved by a sale rather than a lease of the deposits. I also set forth in an official statement some of the difficulties which I thought would be encountered by the Government in the operation of a leasing system, as follows:

First. Under a sale of a deposit an owner would not need that supervision that a lessee would necessarily be under in the matter of protecting the mine as against wasteful and ruinous operation. In operation it will be found that a lessee will naturally have an incentive to produce as much coal, with as little expenditure in honest development, as possible, resulting in many cases of robbing the mine—that is, leaving insufficient timbering, pillars, air shafts, etc., to maintain its permanency while the coal of this or overlying seams is being removed; and the high grade or more valuable coals will often be worked out and the low grades left in the mine, resulting in a total loss thereof to the public. Furthermore, upon the termination of a lease or other abandonment, government maintenance will be necessary in many cases which would not occur under the sale system. Government maintenance would mean retimbering and a continuance of physical improvements to prevent decay and loss of the deposit from fire, cave-ins, flooding, etc. It is true that in case of forfeiture under the sale of the deposits similar maintenance would be necessary except upon a resale; but the cases in which forfeiture would occur under the sale system would be small compared with the abandonments or forfeitures under the leasing system.

Second. The collection of rentals, royalties, or tolls, as the case may be, under a leasing system will necessarily involve the maintenance of a numerous

body of government employees at a great expense to the Government, and add further expense for a detailed system of accounting. This increased expense involved in the leasing of coal deposits will, of necessity, increase the price of coal to the consumer and will also be a constant menace in administration as likely to produce in many instances public scandal if not corrupt practices. These objectionable features would appear to me to be practically removed under a sale of the deposits.

Third. Regulations, under the leasing system, will be likely to trench upon the police power of the States as to mine inspection, supervision, and regulation, where, under the sale system, there could be little or no conflict.

Fourth. In the operation of a coal mine under a lease from the Federal Government the lease would necessarily have to be so worded as to protect the Government against liability for negligence on the part of the operator, resulting from loss of life or destruction of property. In case the Government's agents were likewise grossly negligent in enforcing the regulations a grave question is presented, whether or not the Government is not at least morally liable.

I consider it highly important that Congress take action in giving the department an effective method of disposition of coal lands and deposits, especially in Alaska. The question of whether it should be by a sale of the deposit, or through a leasing method, is one to be determined by Congress. In Alaska it is possible that a leasing system could be adapted to the country with great efficiency and with less complication than in the States. Under the present coal-land laws, the appraisement, as fixed by the department, is at a price estimated on the basis of a reasonable royalty, except in Alaska, where the price by law is fixed at a flat acreage rate, and in the States the administrative policy is to secure by sale what would accrue to the Government if the deposits were mined on a royalty basis.

#### OIL LANDS.

By the act of Congress approved February 11, 1897 (29 Stat., 526), public lands containing petroleum or other mineral oils were declared to be placers and were opened to location and entry under the general placer-mining laws. The placer act has proved wholly inadequate in its application to petroleum and oil lands. Under the general placer law no valid claim can be located without discovery of mineral. Mineral is usually discovered on the surface of the ordinary placer ground without much expense or time. This is not so with oil. takes from six months to a year or more to test oil lands and make an actual discovery. The initial expense of the discovery ranges from \$20,000 to \$100,000, and in many instances more than this. A paper location of prospective oil lands made prior to discovery is not always respected by other oil prospectors. One prospector erects his derricks and proceeds with work upon his claim; another prospector will erect his derricks upon the same claim and proceeds with his work also. It is then a contest between the two for the first

discovery. The law should be amended so as to protect the first bona fide locator and to give him a reasonable time to make his discovery.

The withdrawal act of June 25, 1910, contains this proviso:

Provided, That the rights of any person who, at the date of any order of withdrawal heretofore or hereafter made, is a bona fide occupant or claimant of oil or gas bearing lands, and who at such date is in diligent prosecution of work leading to discovery of oil or gas, shall not be affected or impaired by such order, so long as such occupant or claimant shall continue in diligent prosecution of said work—

and is a suggestion of the legislation that ought to be enacted. I recommend that Congress be asked to pass a law recognizing the right of the prior bona fide locator to the exclusive possession of his claim for a reasonable time for prosecution of his work for the discovery of oil, and upon discovery a right to secure patent. This recommendation applies only to those locators who are bona fide occupants or claimants and who are in diligent prosecution of work leading to discovery of oil or gas at the time of any withdrawal of the land under executive direction.

The withdrawals now outstanding, including some private lands within the exterior limits, aggregate 4,500,000 acres, and are comprised within the States and Territories of Arizona, California, Colorado, Louisiana, New Mexico, Oregon, Idaho, and Wyoming, as is more particularly shown in Table 2 of Appendix H.

I am in favor of a general leasing system of oil and gas bearing lands, such a system as will promote legitimate development of this industry, prevent monopoly, and conserve one of the great natural resources of the country. The oil land of the Five Civilized Tribes in Oklahoma is developed on the leasing system, the term of the lease extending as long as oil is found in commercial quantities. lessee usually pays to the Government for the use of the Indian oneeighth in value of the oil produced as royalty. This system has worked out very satisfactorily and is in use in many of the oil regions of the country where land is held in private ownership and not by the Government. I would apply the leasing system only to areas withdrawn for classification or classified by the Geological Survey. The unknown and unexplored oil lands I would leave open to exploration and location as I have suggested above. This would give a reward to the diligent prospector. Even then the surrounding lands could be withdrawn from further location after the diligent prospector had secured his first claims.

Speaking with special reference to California and the oil situation there, I have had the question investigated very carefully and find that quite extensive oil fields have recently been developed in that

State; that the price of coal for fuel there is enormous, ranging from \$11 to \$15 per ton for bituminous coal, and much more for anthracite. Much of the coal consumed in California comes from foreign countries-Australia and British Columbia. The New Mexico, Utah, and Wyoming bituminous coals cost the California consumer about the same price as foreign coal. Crude oil is piped from the California oil fields to the bay cities and sold at the present time at 85 cents per Three barrels of crude oil at the total price of \$2.55 is substantially equivalent in fuel value to 1 ton of bituminous coal costing from \$11 to \$15. The use of oil for domestic consumption will reduce the price of fuel to the small consumer several times. had the Patent Office records examined and find that many patents have been issued for stoves which may be successfully used for the consumption of crude oil for family use. The reason, I am told, why crude oil has not been used extensively for family use in California is because of the heretofore uncertain production of crude oil in that State. The railroads and steamship companies are using it with satisfactory results. I recommend that the Government adopt a liberal policy in opening the oil lands in California. The Government ought to support any movement which would reduce the enormous cost of fuel in California. The State ought to be asked to cooperate with the Government to prevent the monopoly of the oil business and to effectually secure a reasonable price to the consumer. In my judgment this can be accomplished if the State of California should declare the consumption of oil a public use. The State should pass a law to this effect and place the regulation of the price of crude oil in the hands of a discreet commission. The recent decision of the Supreme Court of the United States in the case of Willcox v. Consolidated Gas Company (212 U.S., 19) seems to sustain this position.

#### WATER-POWER SITES.

There are now withdrawn from disposition, pending legislation concerning water-power sites, approximately 1,450,000 acres of the public domain.

In the various public-land States and Territories containing waterpower resources in so far as there is present market for those powers
the title to areas greater in extent than that remaining in the Government has long since passed into private ownership, and it must be
realized that any radical or burdensome restriction imposed by the
Federal Government upon this resource will operate as a servitude on
the public lands and discourage their development and use. In my
last annual report, in order to meet the emergency for a special method
of administering this character of the public lands, and in order to
retain the ultimate control thereof in the public, it was recommended

that supervision be exercised through a leasing system. During the last session of Congress a bill was introduced—

authorizing the President to withdraw from all forms of settlement, entry, or other disposition any lands which are or may become chiefly valuable for the development of water power, and providing for the acquisition of any State or Territory, under certain conditions, of any lands so withdrawn, and for other purposes.

The object of this bill is to transfer these sites to the States under limitations which would compel the States to retain title thereto and to secure and supervise their hydro-electrical development in behalf of the public. The bill provides for federal enforcement of compliance by the States with the terms, conditions, and limitations of the grant by stipulating for a reversion of the lands to the Federal Government upon the failure by the States to comply therewith.

Taking into consideration the fact that the States own the waters in the streams and have police power to supervise and control public utilities, it would seem a direct and effective method of control would be accomplished by conveying the power sites in trust to the States in some such manner as proposed by this bill.

I earnestly advise the adoption of some legislation which will in any even retain the fee title to the lands in the people and effectually vest the power of regulation and control in the State or in the Federal Government, and which will not result in limiting prompt and economical development or permit monopolization or extortion.

MISCELLANEOUS RECOMMENDATIONS RELATING TO PUBLIC LANDS.

Other recommendations for amendments to existing laws or for enactment of new laws are as follows:

Amendment of existing desert-land laws so as to limit the maximum of area which may be entered to 160 acres; to extend the time within which final proof may be made to seven years, but impose the additional condition of actual cultivation of not less than one-half the irrigable area of the entry for a period of not less than three years prior to final proof.

Repeal of the commutation provisions of the homestead law, or, if this be deemed inadvisable, modification of the present laws so as to require two years' actual residence, cultivation, and improvement as a prerequisite to commutation. Also provide that no patent shall issue under any commuted homestead entry hereafter made, except to citizens of the United States.

Legislation requiring notices of mining locations to be recorded in the office of the register and receiver of the land districts; requiring final payment and entry for mineral claims to be made within seven years from date of location, exclusive of any time covered by pending adverse or contest proceedings, and modifications of the placer mineral laws so as to provide that no placer location hereafter made, whether by one or more persons, or an association of persons, shall exceed 40 acres in area.

Under the provisions of the act approved March 3, 1875, railroads that have filed proof of organization may acquire a right of way over the public lands by construction without first filing and obtaining approval of an application for right of way.

The act of March 3, 1899, requires that where rights of way are sought across forest reservations or reservoir sites, permission must first be obtained and construction allowed only when the public interests will not be injuriously affected thereby. Under this provision of law ample power exists for protecting the interests of the public within reservations, but no sufficient power as to the public lands.

I accordingly recommend that the act of March 3, 1875, be amended so as to specifically provide that no railroad construction work shall be permitted upon the public lands, either surveyed or unsurveyed, until application therefor shall have been approved by the Secretary of the Interior; that he be authorized to disapprove the application or to require appropriate stipulations as a condition precedent to the approval of the application when in his judgment the public interests so require.

Hunting, killing, or destroying game at any season of the year in any national park, national monument, or game preserve should be made a criminal offense; police jurisdiction in national parks should be conferred on United States commissioners; and section 53 of the penal code of the United States (35 Stat. L., 1908, and 36 Stat. L., 856) should be amended so as to insert therein after the words "public domain" the words, "national parks, national monuments, and other reservations." This legislation is necessary in order to protect these reservations from forest fires and to provide a penalty for failing to extinguish fires therein.

The destructive forest fires which swept over large areas of the Western States during the past summer have killed or injured timber on approximately 200,000 acres of unreserved public lands. This fire-killed timber if left standing will rapidly decay and in a short time be unmarketable. I therefore recommend that a law be enacted giving the Secretary of the Interior authority to dispose of such timber on the public lands as has been killed by fire prior to November 1, 1910, to the highest bidder at public auction or through sealed bids, the proceeds to be covered into the Treasury as are other receipts from public lands.

#### APPEALS TO COURTS IN LAND CASES.

The Interior Department, in the administration of the public-land laws, is constantly confronted with grave legal questions and the decision of cases involving property rights and interests of great

magnitude. No appeal is the cours from such decisions of the department is authorized, atmough in the Patent Office for some time legislative authority has authorized appears of the District of Columbia.

On June 20 last I shiftened a round unitation to you recommending legislation of this character and on June 22 the following special message was sent to Congress:

To the Senate and Emmi of Remarkable was

There are, perhaps no one-stools in via a the bundle has more acute interest than those relating to the discosit of other bundle noman. I am just in receipt from the Secretary of the laterior of recommendation that it disposition of important legal questions, which he is called upon to decide relating to the public lands, an appeal be authorized from this decide relating to the public lands, an appeal be authorized from this decide relating to the District of Columbia.

I fully inderse the views of the 5- minute in this particular, which are set forth in his letter, transmitted herewith that utres upon the Congress an early consideration of the subject

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As a result there is now perchang in I suggess. House bill No. 27071, which, if passed, will not home an appear from the final decision of the Department of the Interior in land cases to the court of appeals of the District of Columbia. I carriestly recommend the early enactment of this bill into how.

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The reasons which make it advantage as to secure authority for appeals to the court in land cases would apply with equal properlety to appeals from decisions of the department relating to the disposition of cases affecting Indian lands arising in the Office of Indian Affairs

In order to simplify and expedite the work of the department in handling public-land cases the old produce of permitting numerous reviews and rereviews of the federals of the Commissioner of the General Land Office and of the Secretary of the Interior has been abolished by amended rules of protocal requiring that the decision of the Commissioner shall be final and appealable direct to the Secretary, and that there shall be granted to the appealant or appelled before the Secretary a motion for review, but no right of re-review, which modifications are with the alm of surplifying the procedure and making it more sure that the rights of the honest wer impecunious entrymal, may be proceded. In the event of the amborization by law of an appeal to the court as above mentioned, the review of the Secretary's decision may well be abolished without any impastice to litigants.

#### OFFICE OF ASSISTANT ATTORNEY-GENERAL.

The following table in a general way indicates the character and classification of the work disposed of by the Assistant Attorney-General and the attorneys in his office during the past year. Comparison with the corresponding table embraced in the report for the year 1909 shows a great increase in the business of the office, notwithstanding which, however, the work is practically up to date.

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	Appeals.	Reviews.	Opinions.	Indian.	Disbar- ment proceed- ings.	Miscel- laneous.
Pending October 1, 1909	244	36 841	2 125	50 8, 668	1 22	47 1,524
Total	3,083	877	127	8,718	23	1,571
Disposed of October 1, 1909, to October 1, 1910	2, 930	838	125	8, 673	20	1, 498
Pending October 1, 1910	153	39	2	45	3	78

Work of office of Assistant Attorney-General.

In addition to the above the number of mandamus and injunction proceedings brought against the Secretary of the Interior and the heads of the several bureaus of this department in the supreme court of the District of Columbia has increased, with, of course, a corresponding addition to the labors of the office in defending the same. These proceedings usually consist in attempts, almost invariably abortive, to secure judicial review of departmental action, and would be entirely avoided by a system of appeal to the courts from the department's decisions.

#### GEOLOGICAL SURVEY.

The appropriations for carrying on the work of the survey for the fiscal year ended June 30, 1910, aggregated \$1,497,815. While a larger amount could have been used in carrying out the varied investigations and researches, important results have been accomplished and much of the work, especially the land classification, has been, from the Government's standpoint, distinctly productive. The classification of the public lands has reached a degree of practical use in the administration of the public domain believed never before to have been attained and is of material advantage to the department in the control and disposition of the public lands, bringing with respect to coal lands a material increase in revenue per acre to the Government. The researches of the Geological Survey have also been of especial importance in connection with the location and reservation of waterpower sites on the public lands. In these classifications and investigations the data at hand in the geologic, topographic, technologic, and

magnitude. No appeal to the courts from such decisions of the department is authorized, although in the Patent Office for some time legislative authority has authorized appeals from the decisions of the commissioner to the court of appeals of the District of Columbia.

On June 20 last I addressed a communication to you recommending legislation of this character and on June 21 the following special message was sent to Congress:

To the Senate and House of Representatives:

There are, perhaps, no questions in which the public has more acute interest than those relating to the disposition of the public domain. I am just in receipt from the Secretary of the Interior of recommendation that in disposition of important legal questions, which he is called upon to decide relating to the public lands, an appeal be authorized from his decision to the court of appeals for the District of Columbia.

I fully indorse the views of the Secretary in this particular, which are set forth in his letter, transmitted herewith, and urge upon the Congress an early consideration of the subject.

WM. H. TAFT.

As a result there is now pending in Congress House bill No. 27071, which, if passed, will authorize an appeal from the final decision of the Department of the Interior in land cases to the court of appeals of the District of Columbia. I earnestly recommend the early enactment of this bill into law.

Appeals to the court in such cases are desirable in order to establish a fixed line or body of authoritative judicial decisions interpreting the statutory law upon which the disposition of the public lands rests, and also to remove the criticism that department officers act in the dual capacity of administrative and judicial officers.

The reasons which make it advantageous to secure authority for appeals to the court in land cases would apply with equal propriety to appeals from decisions of the department relating to the disposition of cases affecting Indian lands arising in the Office of Indian Affairs.

In order to simplify and expedite the work of the department in handling public-land cases the old practice of permitting numerous reviews and rereviews of the decisions of the Commissioner of the General Land Office and of the Secretary of the Interior has been abolished by amended rules of practice, requiring that the decision of the Commissioner shall be final and appealable direct to the Secretary, and that there shall be granted to the appellant or appellee before the Secretary a motion for review, but no right of re-review, which modifications are with the aim of simplifying the procedure and making it more sure that the rights of the honest, yet impecunious entryman, may be protected. In the event of the authorization by law of an appeal to the court, as above mentioned, the review of the Secretary's decision may well be abolished without any injustice to litigants.

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water-resources branches have been employed in connection with progressive field examinations.

Geologic surveys and investigations were continued during the year in 32 States and Territories, and included examination of coal territory in the Rocky Mountain region, the study of the phosphate deposits in Idaho, Wyoming, and Utah, the oil fields in southern California and Oklahoma, and of important mining districts in Arizona, California, Colorado, Idaho, Missouri, Nevada, Utah, and Washington.

Topographic surveys were made in 34 States and Territories and covered 32,808 square miles. The total area in the United States topographically surveyed to date is 1,107,765 square miles, or 35.5 per cent of the entire country. The requests submitted throughout the country for topographic surveys are far in excess of possible accomplishment under the present appropriation.

Data for the annual report on the mineral resources of the United States are being procured through cooperation with the Bureau of the Census, and an effort is being made to embody therein the fullest available information regarding the occurrence, development, and utilization of the mineral products of the country.

Investigation of the country's water resources has been carried on during the past year through 878 gauging stations, some of which are maintained in cooperation with the States, municipal organizations, and private persons.

Technologic work was carried on during the year in the investigation of mine accidents, field investigations, and investigations of structural material. Four branch mine rescue experiment stations were established during the year and nine others have been authorized by Congress. Many mining companies have followed the example of the Government and purchased rescue equipment for establishing local stations of their own. On July 1, 1910, the personnel and equipment of the fuel and mine accidents divisions of the technologic branch of the survey were transferred to the new Bureau of Mines, and at the same time the personnel and equipment of the structural-materials division were transferred to the Bureau of Standards of the Department of Commerce and Labor.

For further and detailed information with respect to the operations of the survey, reference is made to the report of the director.

#### BUREAU OF MINES.

In an act approved May 16, 1910, which became operative the 1st day of July following, Congress established under the Department of the Interior a National Bureau of Mines. The widespread demand for the creation of this bureau had been developing among the varied mining interests for a number of years, in recognition of the increas-

ing importance of mining as one of the foundation industries of the country; but its establishment was hastened by a succession of serious mine disasters during the past few years and by a growing realization of the extent to which the mineral resources of the country were being wasted in both the mining and metallurgical branches of the industry.

The main purpose of the new bureau is to aid in lessening this loss of life and waste of resources in the operations of the mining industry, or as expressed in the language of the statute:

To make diligent investigations of the methods of mining, especially in relation to the safety of miners, and the appliances best adapted to preventing accidents, the possible improvement of conditions under which mining operations are carried on, the treatment of ores and other mineral substances, the use of explosives and electricity, the prevention of accidents, and other inquiries and technologic investigations pertinent to said industries, and from time to time to make public reports of the work, investigations, and information obtained as the secretary of said department may direct, with the recommendations of such bureau.

The extent of the work of the new bureau and the rate at which it can carry out its purposes and thereby meet the growing demand of the public will depend upon the further action of Congress in supplying the necessary funds. Fortunately, the proper development of its work does not need to await a new organization and a new establishment for the reason that Congress, in the act creating the bureau, transferred to it the experienced personnel, including a considerable number of engineers and chemists, and the extensive equipment brought together and employed under the Geological Survey in the development of investigations similar to those now being conducted by the Bureau of Mines. The present organization, therefore, will serve as a nucleus in beginning the more extensive work to be hereafter developed.

As a guaranty of the efficiency of this work, attention may be called to the fact that the engineers and chemists mentioned, during their connection with the technologic work of the Survey, conducted their tests of materials for the use of the Government in a manner satisfactory to both the sellers and the purchasing representatives of the Government and at costs lower than those estimated for such work by private parties.

Furthermore, their investigations and the accompanying educational work during the past two years have already aided materially in reducing the loss of life in the American coal mines.

The Bureau of Mines will continue to conduct the investigation of the fuels belonging to or for the use of the Government, and these purchases now approximate \$10,000,000 yearly; but its largest and most urgent work for some time will be that connected with the investigation of mine accidents and the methods of preventing them.

In connection with this work the bureau will use the extensive mine-investigation laboratories at the Pittsburg experiment station. It will also use, in connection with its investigational and educational work, a number of mine-rescue stations and mine-rescue cars, one in each of the more important coal fields, which will be fully equipped for both investigations and demonstrations of methods for preventing accidents, and for rescue work in case of accidents.

As to the relations of the Bureau of Mines to the work of the States and private corporations, it may be expected that the bureau will take no part in mine supervision or in mine inspection, these being within the province of the State. But the bureau will do what it can to encourage the investigation of local mining problems by the States and the private corporations most directly interested. Furthermore, the bureau will not undertake to do or to supplant the professional work which is now being done, or is to be done, by private mining engineers. Its main work will be that of conducting such investigations and inquiries as relate to the more general or national phases of the mining and metallurgical branches of the industry, and the distribution of the results of its investigations and inquiries among the mine workers and mine operators of the country in such manner as will be most effective in accomplishing the purposes for which the bureau was created.

A brief statement of the work relating to mine accidents and investigations carried on by the Government prior to the organization of the bureau is given on page 26; a more detailed account may be found in the annual report of the Director of the Geological Survey.

#### RECLAMATION OF ARID PUBLIC LANDS.

#### OPERATIONS UNDER THE UNITED STATES RECLAMATION ACT.

The act of Congress approved June 17, 1902, known as the "reclamation act," set apart as a fund for the reclamation of arid lands all moneys received from the sale of public lands in certain of the Western States and Territories, excepting the 5 per cent of the proceeds of such sales set aside by law for educational and other purposes. The actual receipts from this source to June 30, 1909, were \$58,439,408.93, and the estimated total receipts to June 30, 1910, are \$65,714,179.06. The net investment of this fund in reclamation works on June 30, 1910, amounted to \$53,781,302.88.

The act requires the Secretary of the Interior to determine and return to the reclamation fund the estimated cost of construction, and entrymen and private landowners receiving water from reclamation projects are therefore required to contribute their proportion of the cost of construction, operation, and maintenance of the project

wherein their lands are situated. The cash receipts from this source to June 30, 1910, were:

#### Cash returns to reclamation fund.

Water-right building charges	<b>\$</b> 902, 822. <b>25</b>
Water-right operation and maintenance charges	249, 637, 19
	1 150 450 44

In addition, amendatory acts authorizing sales of town lots, sales of water to towns and cities, leases of power developed in projects, etc., have produced an additional revenue of \$2,086,107.73, which, under the law in question, is credited as a reduction of the cost of the projects from whence the receipts are derived.

No new projects have been undertaken since March 4, 1909, but prior to that date 32 primary projects had been undertaken, the net investment in which on June 30, 1910, amounted to \$52,945,441.03, as is shown in the following table:

Net investment in reclamation projects on June 30, 1910.

State.	Project.	Net invest- ment.
Arizona	Salt River	\$8, 430, 959, 10
Arizona-California	Colorado River	
California	Orland	878, 608, 1
Arizona-California	Yuma	
Colorado		
Do		
Idaho		
Do		2, 900, 896, 5
Do		69, 142, 7
Kansas.		
Montana.		
Do		
<u>Do</u>		
Do	Sun River	
Montana-North Dakota		
Nebraska-Wyoming		
Nevada		
New_Mexico		
Do		
Do		
New Mexico-Texas		
North Dakota	Buford-Trenton	278, 294. 4
Do	Williston	528, 171. 8
Oklahoma	Cimarron	8,878.1
Oregon	Central Oregon	40, 133, 4
Do	Umatilla	1, 155, 983. 2
Oregon-California		1,830,600.8
South Dakota		2, 313, 525. 2
Utah		
Washington		
Do		
Wyoming	Shoshone	3,378,887.8
Total		52,945,441.0

In addition, there had been invested in secondary projects, June 30, 1910, \$587,390.71; in town-site development, \$10,955.49; in Indian irrigation, \$198,704.21; and for general expenses, \$38,811.44. In view of the immense areas of land included, the magnitude and expense of the engineering work necessary to provide for their reclamation, and of the importance to the waiting settler and landowner that water

be applied to the land and reclamation effected as soon as possible, the efforts of the department have been directed toward the completion of projects already undertaken rather than the search for or undertaking of new projects. The following table contains a summary of the results of the reclamation work from June 30, 1902, to June 30, 1910:

Summary of results of reclamation work, June 30, 1902, to June 30, 1910.

Material excavatedcubic yards_	66, 121, 971
Class 1cubic yards_ 57, 842, 078	•
Class 2do4, 308, 489	
Class 3do3, 971, 404	
Volume of storage damscubic yards_	5, 632, 157
Volume of dikesdo	3, 104, 738
Available reservoir capacityacre-feet_	4, 484, 500
Number of tunnels	68
Aggregate length of tunnelsfeet_	96, 512
Canals carrying less than 50 second-feetmiles_	3, 874
Canals carrying from 50 to 300 second-feetdo	790
Canals carrying from 300 to 800 second-feetdo	356
Canals carrying more than 800 second-feetdo	307
Canal structures costing less than \$500	17, 669
Canal structures costing from \$500 to \$2,000	728
Canal structures costing over \$2,000	462
Number of bridges	1, 487
Aggregate length of bridgesfeet_	35, 561
Riprapcubic yards_	286, 122
Pavingsquare yards_	264, 864
Cement usedbarrels	1, 133, 878
Concretecubic yards_	961, 908
Roadsmiles_	460
Telephone linesdo	1, 319
Telephones in use	550
Buildings erected:	
Offices	54
Residences	182
Barns and storehouses	189
Area of lands for which water can be suppliedacres	876, 68 <del>4</del>
Acreage included in projects now under way	3, 100, 000

The receipts from the sales of public lands, while considerable, were found to be insufficient for the speedy completion of existing projects, and it was believed that additional amounts could be used to advantage. Accordingly, with your recommendation and earnest indorsement, Congress was asked to authorize the issuance of certificates of indebtedness or bonds against the reclamation fund. As soon as the importance of the requested assistance was understood the recommendation met with a hearty response from Congress in the enactment of the law of June 25, 1910 (36 Stat., 835), which authorized the issuance of not exceeding \$20,000,000 in certificates

of indebtedness repayable out of the reclamation fund five years after the date of their issue. The appropriation was made subject to the provision that it should be expended upon existing projects and their necessary extensions and that no part of the same should be expended until after the project should be examined and reported upon by a board of engineer officers of the United States Army and approved by the President as feasible, practicable, and worthy. A board of army engineers was immediately designated by you and spent the summer in field examinations of the several projects. The board is now engaged in the compilation of the data secured and in preparing its report. Pending the submission of this report and your consideration thereof, preliminary to allotting the proceeds of the certificates to the projects selected, it has been deemed inadvisable to make a general allotment from the reclamation fund for the coming year, and only such allotments have been made as are deemed essential for the continued and economical operation upon the projects. Other legislation enacted during the last session of Congress and referred to more particularly in another portion of this report will materially aid the settlers and the Government in the settlement and development of reclamation projects.

It is important to the reclamation of arid lands contiguous or adjacent to existing projects, to the Government from the standpoint of revenue, and in line with practical and useful conservation, that legislation be enacted authorizing the Secretary of the Interior to dispose of any surplus water available from irrigation projects to persons, associations, or corporations operating systems for the delivery of water to individual water users for the irrigation of arid lands, and I earnestly recommend the enactment of such legislation.

Private lands purchased or condemned for use in construction of reclamation projects and public lands reserved and improved for this purpose should, when no longer needed, be disposed of, and I therefore recommend the enactment of a law which will authorize the Secretary of the Interior to sell at public auction such lands when no longer needed for the purpose for which acquired or reserved, the receipts from such sales to go into the reclamation fund.

A system of graduated payments of construction charges would probably have been advantageous to the settlers had it been adopted as reclamation projects were opened, but under present conditions I do not think it advisable to adopt this system for all existing projects. There are, however, several projects, particularly those known as the "pumping projects," where payments, by reason of local conditions, have not been made, and the department should be authorized to adopt some plan which will relieve the settlers and enable it to work out a scheme of payments which will ultimately return the cost of the

projects to the reclamation fund. The enactment of Senate bill 6842, now pending, would help to solve existing difficulties on such projects.

Without experimentation in the operation of reclamation works and an understanding of local needs and conditions it is difficult to intelligently fix the terms, conditions, and amounts of construction charges, and I am of the opinion that in the future, before opening up new projects or new units of projects, it will be advisable to furnish water to settlers and landowners on a rental basis for a limited period, so that the department may arrive at an understanding of the needs and conditions of the projects and the charges and terms which should be fixed to insure favorable conditions to water users and to secure the return to the reclamation fund of the construction cost.

Section 5 of the act of Congress approved June 25, 1910, forbids entry of or settlement upon lands reserved for irrigation purposes until the Secretary of the Interior shall have established the unit of acreage and fixed the water charges and a date when water can be applied and made public announcement thereof. In many projects the areas of public land to be opened to entry will be comparatively small in extent, but valuable on account of their fertility and irrigable character. A more equitable distribution of the lands among would-be settlers and an avoidance of hardship would be secured by opening these lands in a manner similar to that followed during recent years in opening Indian reservations, namely, by drawings. I accordingly recommend the enactment of legislation which will authorize the Secretary of the Interior to open such areas to settlement and entry by public notice, which notice shall prescribe the manner in which the lands may be settled upon, occupied, and entered by persons entitled to make entry thereof.

# RECLAMATION OF ARID PUBLIC LANDS BY THE STATES.

The act of Congress approved August 18, 1894 (28 Stat., 372), authorizes the Secretary of the Interior, with the approval of the President, to enter into contracts with States containing public arid lands, to patent to each of the States to which the law is applicable not to exceed 1,000,000 acres of land upon their reclamation through the State or its agent. Ten years was allowed the State within which to effect the reclamation, after the segregation of the lands, and the latter were to be disposed of to actual settlers in areas not greater than 160 acres. Various amendatory acts have been passed amending the grants, allowing additional time within the discretion of the Secretary of the Interior for reclamation, and authorizing the Territories of New Mexico and Arizona to receive the benefits of the law upon complying with its provisions. New Mexico has accepted the conditions imposed by the act and applied for the segregation of lands.

Arizona has not yet taken advantage of its provisions. During the past year every effort has been made to expedite action upon applications presented for the segregation of lands under this act consistent with assurance that the lands segregated are desert in character, that sufficient water for irrigation is available, and that the work proposed will effect their permanent reclamation. Examination for lands applied for has been placed in the hands of a departmental engineer inspector, who is assisted by competent engineers from the field force of the General Land Office. Regulations and instructions issued have been directed to the improvement of methods of examination and report, and their observations should result beneficially to the Government, the States, and the prospective settlers.

Since the passage of the act in 1894 application has been made for 6,587,508 acres, of which amount 2,765,946 acres were applied for during the past year. Increased activity in this direction is to be attributed to the interest aroused by the operations of the United States Reclamation Service, to the seeking by private capital for investments in irrigated lands, and to the rapidly increasing demand of the public for fertile and productive agricultural lands.

It has frequently happened in the past that when the States were engaged in the preliminary work of surveying, and the endeavor to ascertain the feasibility of the reclamation of the land, that speculators would file or enter upon the lands, embarrassing or defeating the success of the state reclamation projects. Therefore, in my last annual report, legislation authorizing the temporary withdrawals of lands in the interest of the States and Territories pending preliminary investigation was recommended, and was enacted into law March 15, 1910. The States have already taken advantage of the provisions of this act by applying for the temporary segregation of 690,659 acres of land.

With proper supervision by the General Government and the States to secure the permanent reclamation of the lands segregated by means of durable and permanent reservoirs, canals, and structures, this act permits the States to assist most advantageously in the reclamation of the public arid lands of the West.

Under existing law a segregation once made withdraws the land for a period of ten years. Provision should be made for the beginning of actual construction work within a shorter period, and I renew the recommendation made in my last report that section 4 of the act be amended by adding to the second paragraph a proviso to the effect that unless actual construction of the reclamation works is begun within three years after the segregation of the lands the Secretary of the Interior is authorized to declare the annulment of the contract and restore the lands segregated to the public domain.

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The following table summarizes the action taken under the provisions of the law mentioned up to and including June 30, 1910:

State desert-land segregation under section 4 of the act of August 18, 1894 (28 Stat., 372-422), and the acts amendatory thereof, commonly known as the Carey Act, with the action taken thereon from the passage of the act of June 30, 1910.

State.	Applied for.	Segregated.	Rejected or relinquished.	Patented.	Reconveyed.	Time to reclaim extended.
Colorado	Acres. 728, 881, 29	Acres. 90, 964, 23	Acres. 8, 106. 70	Acres.	Acres.	Acres.
Idaho	2, 842, 811. 88 524, 440. 92	1, 298, 895. 58 172, 249. 01	323, 068, 25 26, 200, 40	157, 034. 90 18, 296. 91		52, 480. 92
New Mexico Oregon	121, 083. 88 20, 164. 68 568, 726. 95	10, 246. 02 296, 350, 65	22, 625. 56 140, 492. 08	50, 303, 13		
Utah	410, 245. 76 1, 371, 153. 56	126, 185. 61 965, 094. 73	237, 020. 83 197, 758. 60	92, 229, 33	1,032,90	17, 397, 53
Total	6, 587, 508. 92	2, 958, 985. 83	955, 272, 42	817, 864. 27	1, 032. 90	69, 878. 45

RECAPITULATION.	
Applied for	Acres. 6, 587, 508. 92
Segregated	2, 958, 985, 53 955, 272, 42 2, 673, 250, 97
Total	6, 587, 508. 92

#### INDIAN AFFAIRS.

The policy of the Indian Service to-day is not the policy of the Government in its earlier dealings with the Indians, or even within the last decade, and it will serve no useful purpose in considering the obligations of the department to discuss or give an historical epitome of the earlier methods applied in dealing with the Indian. problems of to-day are essentially those of progressively assimilating the Indian into the body politic, with the greatest degree of protection to the Indian and with a minimum of injury to the community or settlement to which he may belong. It has long been apparent that the tribal relations of the Indian must vanish and that he must ultimately take on the responsibilities and obligations of citizenship and so far as possible adapt himself to that course of life to which every individual must yield. To change the characteristics of a race such as the Indian and compel the surrender of his traditions, customs, and impulses, is a matter of generations rather than of years. This is more particularly realized when we contemplate the stubborn resistance which the full-blood Indian asserts against the efforts of the Government to transform him into a farmer, with fixed habitation, or to interest him in the trades or common vocations of life. The Indians under the supervision of the Department of the Interior through the Office of Indian Affairs are principally upon Indian reservations.

The Indian population as compiled by the Office of Indian Affairs on reservations is 304,819. By States and Territories it is as follows:

## Population of Indians.

Arizona	38, 344	Oklahoma a	117, 088
California	20, 976	Oregon 6	3, 477
Colorado	815	South Dakota	<b>20, 303</b>
Florida	<b>35</b> 8	South Carolina	60
Idaho	3, 988	Texas	470
Indiana	243	Utah	1, 697
Iowa	372	Washington	9, 625
Kansas	1, 385	Wisconsin	10, 303
Maine	425	Wyoming	1, 701
Michigan	6, 784	- 	
Minnesota	11, 095	Grand total (exclusive of	004 010
Montana	10, 766	Alaska)	304, 819
Nebraska	3, 784	Five Civilized Tribes, includ-	
Nevada	6, 192	ing freedmen and intermar-	
New Mexico	18, 837	ried whites	101, 287
New York	5, 476	Exclusive of Five Civilized	
North Carolina	1, 999	Tribes	203, 532
North Dakota	8, 256		, •

The number of industrial, reservation, nonreservation, and day schools is 325.

The total number of Indians who have been given their full rights within the last twelve years is 89,118. The total number of restricted Indians remaining is 215,701. It is the policy of the Indian Service to grant citizenship or remove the restrictions from the Indian only when he has satisfactorily shown that he is capable in a reasonable degree of managing his own affairs, and where he possesses an allotment of land to limit his right of alienation so as to require retention of a specific portion thereof as a homestead. There should be no hesitancy on the part of the Government in granting citizenship to the Indian where he shows himself to be qualified. On the contrary, to withhold citizenship tends to discourage the development of the very elements of character in him which the Government is undertaking to stimulate, and if citizenship is granted to the Indian, he should be held to the same obligations of amenity to social, political, moral, and legal restrictions and obligations as any other citizen, and the Government should no longer undertake to exercise tutelage over him. The scheme or plan of the Indian Service in the line of this

<sup>•</sup> Returns are incomplete from these States.

development of civic capacity in the Indian should be practical and not theoretical, and it is with this object in view that the Indian Service has reorganized its work and remodeled its force. Details of the system now in practice are set out with particularity in the report of the Commissioner of Indian Affairs. To more expeditiously carry out the Government's policy of individualizing and fitting the Indian for civic usefulness, one of the most potent influences is the distribution of tribal property by individual allotment. This work has progressed with great rapidity during the past year and as rapidly as the force at the command of the office would permit. this distribution of the tribal estate another evil is avoided, viz, the presentation of "trumped up" claims by tribal representatives and by speculative attorneys. If some of the practices that have existed are permitted to continue both in this respect and in the probate of the estates of many of the Indians, and the acquisition of their property by unscrupulous whites through contracts and other methods of subterfuge, it may well be said that their property will in the first generation descend to the lawyers and the whites. It is the duty of the Government, so far as possible, to put an end to these and other evils of like character. Where it undertakes to extend protection to the Indian it should give protection of such a forceful character as will be productive of genuine results.

The agricultural education of the Indian, as now undertaken through expert farmers and experimental farms, together with his advantages in the industrial schools set apart for that purpose, with the exercise of employment agencies, should rapidly develop the young among the Indians in useful pursuits. In the educational efforts put forth by the Government in behalf of the Indians it should no longer carry its work into the field which belongs to the State in which the Indian is situated; that is to say, as soon as the supervisory obligations of the Government have ceased over the Indian, and his property becomes taxable, it then becomes the duty of the State to care for his education under its common-school system. It is, however, difficult to fix the exact limits of supervision, or the extent or amount of effort which the Government should put forth as regards any particular Indian or body of Indians in the matter of education, culture, and refinement to make him or them citizens. The Government can hardly be expected to do for him more than to instruct him in the rudiments of learning and in the useful trades, viz, to give him an industrial. moral, and political education, so as to make him capable of selfsupport and self-control, as a unit of society, the criterion being that he is sufficiently equipped to care for himself according to the usual standard or measure of capacity of men in the average enlightened community.

Special attention has been given by the service to the sanitation of the schools and institutions maintained by the Government for the use of the Indians, as well as of their homes, and special effort has been made to free the Indian from the scourge of tuberculosis and trachoms.

Perhaps the most trying and difficult feature of Indian administration is the effort to inhibit the sale of liquor to them. Notwithstanding the vigilance of the federal officers, and prosecutions and convictions for offenses of this nature, a vast amount of mischief is done by the liquor traffic in preventing the advance of the Indian. The report of the Commissioner of Indian Affairs sets forth the activities of the service in this respect, and every effort will be made by the department to reduce to a minimum this evil. It is not, however, the function of the Government to perform and it can not properly exercise through its officers police duties in white communities and settlements organized under state and municipal laws, and when the Indian has been released from his restrictions and recognized as a citizen federal authority over him should cease and should no longer with reasonable propriety be exercised over his personal conduct.

The leasing of allotments of restricted Indians should not be made where the Indian can be induced to improve and cultivate the land. In exceptional cases where the lands contain minerals, or it becomes necessary to make beneficial use of water for irrigation within a limited period, leasing may be necessary upon approval by the department.

#### MILLING OPERATIONS ON MENOMINEE RESERVATION.

The logging and milling operations on the Menominee Indian Reservation are being carried on by the field officers of the Indian Service in a businesslike and prudent manner, and their reports show that these operations are a source of profit to the Indians.

I consider it unfortunate, under any view of the matter, that the Government is required under the law to carry on logging and milling operations for the Indians, believing that the proper policy is, generally speaking, to sell the timber as stumpage.

The government sawmill and plant located at Neopit, which was commenced in July, 1908, and finished in January, 1909, has a day and night capacity of 50,000,000 feet of lumber per annum: but the act of May 28, 1908, authorizes the cutting of only 20,000,000 feet annually, exclusive of certain dead and down timber. If the Government is to continue these operations, the limit of cut should be increased to 40,000,000 or 50,000,000 feet per annum.

#### RECLAMATION OF INDIAN LANDS.

There are large areas of irrigable lands within Indian reservations in the arid and semiarid regions. It is important to protect the water rights of the Indians and as rapidly as possible irrigate and reduce to cultivation such areas as are needed for the support of the Indians. Many of the Indians have not reached the stage of industry and efficiency sufficient to successfully conduct irrigated farms, nor can they be educated along these lines until provided with the water to irrigate their lands. Furthermore, it is believed that the advancement and education of the Indians along this line may be aided by leases of irrigated lands within reservations to the whites under conditions insuring the permanent attachment of a water right to the lands for the future welfare of the Indian, which can only be accomplished through beneficial use of the water. The leases should be made in reasonably small tracts for long terms, the maintenance charges for the irrigation system to be paid by the Indian leasing the land, and the whites so colonized that their agricultural operations will be an object lesson in industry and successful farming to the Indians on the reservation.

All purchasers of Indian lands under constructed irrigation systems should be required to pay a fixed maintenance charge, based upon the irrigable area of their lands, whether they farm them or not. They should also be required to pay their proportionate cost of the construction work performed upon the system subsequent to the date of their purchase.

Up to the present time a total of \$5,547,237.58 has been expended in irrigation work upon Indian lands. The expenditures by projects and the estimated cost of their completion is given in Appendix I. The major part of this work has been performed under the supervision of the chief engineer and field engineers of the Indian Service, but certain irrigation work on Indian reservations authorized by Congress and provided for in the appropriations under the control of the Office of Indian Affairs is being performed by the Reclamation Service, the cost of the work being returned to the reclamation fund from the Indian appropriation.

About 300,000 acres of land in Indian reservations have been reclaimed by irrigation works, of which amount 118,640 acres are being irrigated by Indians and 42,080 acres by white lessees and purchasers. The area which will be irrigated when contemplated works are completed amounts to approximately 1,100,000 acres. The total appropriations for irrigation purposes during the past year amounted to \$1,365,000. By act approved June 25, 1910, Congress authorized the Secretary of the Interior to reserve from location, entry, sale, allotment, or other appropriation any lands within

Indian reservations valuable for power or reservoir sites, or which may be necessary for use in connection with any irrigation project. This authorization will be of great value in providing for and accomplishing the irrigation of arid Indian lands.

#### INDIAN WAREHOUSES.

In my annual report for 1909 I recommended the discontinuing of the United States Indian warehouses at New York, Chicago, St. Louis, Omaha, and San Francisco, and the substitution thereof of a purchasing-agent system. I believed that such a change would result in a net saving to the Government in the purchase of Indian supplies by securing wider competition, especially among local business firms; by securing greater promptness in the payment of claims against the Government; by preventing an overpurchase of supplies because of the necessity of submitting estimates in advance of the time that goods would be needed, and because of the inconvenience to contractors through the furnishing of bonds and the delay between the delivery of goods and the payment thereof. It was hoped also to save in the cost of inspection and in the handling of claims at Washington.

Congress failing to discontinue the warehouses, I have therefore directed a careful investigation of purchases, and of warehouse and Office of Indian Affairs methods of handling contracts and claims, and the making of awards, for the purpose of utilizing the warehouse system to the best possible advantage in the purchase and shipment of Indian goods and supplies, and putting them on as economical a basis as possible, consistent with efficiency.

### CLAIMS.

Claims are constantly being advanced on behalf of Indians and Indian tribes for compensation for losses alleged to have been sustained in past relations with the Government, in connection with which permission to employ counsel is sought, the proposed contracts of employment usually providing for an annual salary and a contingent fee of a percentage of ultimate recovery. As the first step in the formal assertion of such claim is usually to procure an act of Congress conferring jurisdiction in the Court of Claims to hear the matter, the contract contemplates the retention of hired lobbyists.

General employment of attorneys has been by me discountenanced, except in those cases where a distinct showing of the necessity therefor is made, and combination of annual salary and contingent fee is not sanctioned, because, in effect, it amounts virtually to a roving commission to the attorney to foment litigiousness among the Indians. The Office of Indian Affairs has been directed to require attorneys seeking contingent employment to submit statement of the facts and law justifying litigation, whereupon the propriety of pursuing the

matter and the compensation to be allowed in the event of recovery can be considered by both this department and the Attorney-General.

It is earnestly suggested, however, that legislation be enacted requiring the court, upon rendering judgment against the Government, to fix the compensation of counsel.

#### FIVE CIVILIZED TRIBES.

The report of the Commissioner to the Five Civilized Tribes shows the details incident to the allotment of land and other things necessary to be done in connection with the work of winding up the affairs of the Five Civilized Tribes, the work accomplished by the Union Agency, and other matters coming under the supervision of the department, including the report of the supervisor of schools.

The total number of persons on the final approved rolls, as here-tofore reported, aggregates 101,474. During the year, however, extensive field investigations made for the purpose of locating citizens who have made no applications for allotments demonstrated that 235 died prior to the dates fixed by the various agreements to entitle them to allotments. Therefore the number has been somewhat reduced, there now being 10,955 Chickasaws, 26,730 Choctaws, 18,716 Creeks, 3,122 Seminoles, and 41,716 Cherokees, a total of 101,239. By act of Congress the rolls of these tribes were finally closed March 4, 1907. It has been persistently maintained that many persons entitled to participate in the distribution of the property of these tribes were not enrolled. The department is now carefully investigating and considering such instances with a view of submitting a report and final recommendation to Congress concerning the disposition of such cases.

During the year the allotment of land to all members of these said tribes has been practically completed, and there now remains to be sold or otherwise disposed of the remaining undivided property and division of the proceeds to individual citizens of the respective tribes. Before such can be finally accomplished, however, suits before the United States Supreme Court affecting the rights to enrollment of about 5,500 new-born Cherokees, who have been tentatively allotted land, must be disposed of. There is also pending in the Court of Claims a suit by certain persons claiming the right to be enrolled as Cherokee freedmen. The matter of equalization of Creek allotments will also require congressional consideration, and legislation will be necessary to dispose of 445,000 acres segregated coal and asphalt lands in the Choctaw Nation.

Regulations were promulgated by the department under date of October 12, 1910, for the disposal by public auction of all of the other

remaining unallotted lands of the Five Civilized Tribes, aggregating about 1,750,000 acres. This, however, does not include the forested lands of the Choctaw Nation, aggregating approximately 1,370,000 acres, which have heretofore been withheld from allotment. It will be necessary to appraise the pine and hardwood timber on these lands before sale, which work is now in progress, and upon completion they will be offered at public sale as now authorized by law.

In the Seminole Nation the allotment of 360,790 acres to 3,122 citizens has been completed, and there remain to be disposed of 3,448 acres of tribal lands embraced in 54 tracts of from 1 to 160 acres each. No allotment deeds have yet been issued or delivered to any citizens of the Seminole tribe. During the year allotment deeds to all such citizens were prepared on new forms and are now held at the department, at the instance of the Department of Justice, awaiting the determination of certain suits. Although a great number of conveyances of such allotted lands have been made by individual members, it is considered that all such sales are invalid prior to the recording and delivering of allotment deeds. Investigation having developed that much fraud had been perpetrated in connection with these conveyances. Congress, at its last session, provided for the employment of a special attorney of the Department of Justice to investigate the transactions and to take proper action in connection with prosecution of persons connected with such frauds.

In the Creek Nation allotments of 160 acres each have been made to 18,716 enrolled citizens, 2,999,400 acres having been allotted, leaving 63,610 acres embraced in 1,302 separate tracts of from 1 to 1,100 acres to be disposed of. During the year the remaining few allotments have been completed, 101 tracts reserved for churches and schools were surveyed and deeds executed, and descriptions of unallotted lands have been tabulated preparatory to disposal. Creek agreement provided that 160 acres of land of an appraised value of \$1,040 should constitute the standard value of an allotment and that those receiving land of less value should receive a sufficient amount from the tribal funds to equal such amount. It being ascertained that the funds of the Creek Nation were insufficient after the enrollment of new-born citizens to equalize allotments on such basis. Congress, by an act approved March 3, 1909 (35 Stat., 871), provided for the equalization of Creek allotments on a basis of \$800, to be effective when ratified by the Creek council, but such provision was rejected by that body April 22, 1909; therefore nothing further has been attempted toward equalizing allotments in this nation.

In the Choctaw and Chickasaw nations all allotments have been completed to 37,685 enrolled citizens, each receiving 320 acres of average land of an appraised value of \$1,041.28. The lands so allotted aggregate 8,312,900 acres, leaving approximately 3,285.000 acres to

be disposed of. The work of tabulating the descriptions of such unallotted land, excepting about 1,370,000 acres of timber lands and also excepting 445,000 acres of segregated coal and asphalt lands, preparatory to the disposal thereof, is in progress. During the past year 278 allotments have been made requiring field investigation in each instance, 1,575 allotment deeds were prepared and 4,077 delivered, and 206 tracts of from 1 to 20 acres each reserved for churches, schools, and cemeteries were surveyed and data secured preparatory to the issuance of deeds. The act of Congress of March 3, 1909 (35 Stat., 781). provided for the equalizing of allotments of the Choctaw and Chickasaw nations by the payment from tribal funds of twice the appraised value of land to those having \$50 or less due to complete their allotments to \$1,041.28, and rolls have been prepared containing the names of 36,849 citizens to be paid an amount aggregating \$317,997. payment is in progress and on June 30, 1910, the sum of \$120,094.16 had been paid to 11,875 citizens.

The act of Congress approved April 26, 1906, provided that Choctaw and Chickasaw freedmen should have the preference right to purchase unallotted lands at the appraised value sufficient to bring their allotments up to 40 acres in area prior to December 1, 1910. About 3,000 freedmen are entitled to the benefits of this law, to purchase in the aggregate about 45,000 acres, and applications are now being received and considered.

In the Cherokee Nation complete or partial allotments aggregating 4,348,760 acres have been made to 40,194 citizens, each allotment constituting 110 acres of average land of a standard appraised value of \$325.60. There remain 1,522 enrolled citizens who have made no selections and there are 50,300 acres of unallotted land. During the year all interested citizens were notified that selections must be made by July 31, 1910, after which no further allotments would be made. Three thousand five hundred and seventy-six deeds were prepared and 16,176 delivered. Six hundred and forty-eight tracts of land from 1 to 3 acres each, reserved for schools, churches, and cemeteries, were surveyed and data secured preparatory to issuance of deeds. The 50,300 acres of unallotted land are included in 2,728 tracts of from 1 to 550 acres each, and tabulated descriptions have been prepared preparatory to disposal thereof.

In conformity with that provision of the act of March 3, 1909 (35 Stat., 781), relative to the equalization of allotments on which there was due not to exceed \$50, pay rolls containing the names of 35,013 citizens of the Cherokee Nation, having due them \$174,814.34, have been prepared and payment is now in progress, 16,006 citizens having been paid \$91,819.16 to June 30, 1910.

A list of about 900 citizens to whom no allotments were made by reason of the failure of lands suitable for such purpose, and who have indicated a desire to receive money in lieu of lands, has been prepared, to receive \$651.20 each, in accordance with the provisions of the act of April 26, 1906, which provides that if any citizen of the Cherokee tribe shall fail to receive the full quantity of land to which he is entitled as an allotment, he shall be paid out of any of the funds of such tribe a sum equal to twice the appraised value of the amount of land thus deficient, and payment to such persons is now in progress. No allotment certificates or deeds, however, can be issued to 4,400 Cherokees enrolled under the act of April 26, 1906, until their right to enrollment is decided in the pending suit before the United States Supreme Court.

The contests between citizens for the allotment of the same tracts of land may be said to be completed. During the year 255 cases were disposed of; on July 1, 1910, there remained 53 cases, 25 of which were awaiting the time for filing appeal or motion for rehearing to expire; and 28 of which had been appealed to the department. The number of allotment contests instituted in the Five Civilized Tribes aggregated 892 in the Creek Nation, 56 in the Seminole Nation, 1,437 in the Choctaw Nation, 3,491 in the Chickasaw Nation, and 5,073 in the Cherokee Nation, a total of 10,949 cases. During the year 20,785 certified copies of the record pertaining to enrollment and allotments, together with copies of testimony aggregating 737,000 words, were furnished the public, from which there was received \$11,695.

The act of Congress approved May 27, 1908 (35 Stat., 312), provided for the removal of restrictions on land of certain classes of citizens of the Five Civilized Tribes, and further provided that such unrestricted land should be subject to taxation and that the remaining restricted land should be exempt from taxation until such time as the restrictions were removed therefrom. Under the provisions of such law restrictions were removed, wholly or in part, from about 71,000 Indians, leaving approximately 30,000 in the restricted class, from whom, however, restrictions are removed in individual cases if the Indian is considered competent; others are permitted to dispose of portions of their lands under supervision of the department. Notwithstanding the provisions of law relative to nontaxation of restricted lands, the state officials of the various counties, who had been furnished at great expense with lists fully descriptive of all the allotments and the enrollment status of each allottee, assessed lands for taxes of the restricted class for the years 1908 and 1909, and advertised for sale all such land on which taxes assessed had not been paid. Suits were therefore filed in the United States court and

temporary injunctions granted against the sales of restricted land, and efforts are now being made to prevent the continuation of this practice.

The unallotted timber lands in the Choctaw Nation aggregate approximately 1,370,000 acres. Allotted lands are scattered through and adjoining such tracts, consequently extensive depredations have been committed which it is practically impossible to prevent, although a force is constantly employed for such purpose, and a number of indictments were found by a federal grand jury for unlawful cutting of timber on tribal lands. In such cases 15 convictions were secured and other cases dismissed by settlement, the amount realized aggregating \$10,288.79. This action has had a wholesome effect in stopping these depredations.

Under existing law Choctaw and Chickasaw citizens are permitted to dispose of timber on their allotments without supervision, and investigation has shown that from 3.000 to 5,000 allottees have contracted with numerous parties for the disposal of their timber, and that in none of the instances where investigation was made had an adequate consideration been given, and in many instances such contracts had been secured through misrepresentation and fraud as to the character of the instrument. These sales provide for the removal of timber in from five to twenty-five years, and in view of the investigation of complaints made by reason of the misrepresentations of the parties and the facts developed in connection with these unlawful transactions, the matter has been referred by this department to the United States Attorney-General for appropriate action. No further action has been taken by way of instituting suits to set aside illegal conveyances of allotted land prior to the removal of restrictions, awaiting final determination of the suits. Of the 27,380 suits filed, as previously reported, 1,543 were dismissed during the year, which, with the 3,716 dismissed prior to July 1, 1909, makes a total of 4,619 dismissed. The decision of Judge Campbell sustaining the demurrer of the defendants in these so-called "restriction suits" has since been reversed by the circuit court of appeals, and it is now understood the case has been carried to the Supreme Court of the United States under the authority conferred by section 3 of the act of June 25, 1910. During the year 1,976 vacant lots and 2,581 forfeited lots, located in 179 towns, were advertised and sold at public auction in the Creek, Cherokee, Choctaw, and Chickasaw nations, the amount realized aggregating \$142,591.25. Certain areas of land were also surveyed and platted and added to four towns on segregated coal lands.

The total output of coal from approved leases on tribal segregated coal and asphalt lands in the Choctaw Nation during the year was 2,692,291 tons, a decrease of 36,146 tons as compared with the fiscal

year 1909. Nine thousand one hundred and seven tons of asphalt were mined, as compared with 4,121 tons for the year 1909. The total amount of royalty paid on account of coal and asphalt was \$250,161.76. Coal operations ceased March 31, 1910, on account of failure of the operators and the miners to agree upon a wage scale, and had not commenced again at the close of the fiscal year.

Under the Indian appropriation act of June 21, 1906, the drilling of test holes on the unleased segregated coal lands has been completed. Thirty-seven holes have been drilled in various localities to depths ranging from 113 to 1,510 feet, and a report of the findings is embodied in Senate Document No. 390, Sixty-first Congress, second session. Such report shows the workable area of the coal to be 283,649 acres on a basis of veins varying in thickness from 2 feet 4 inches to 6 feet and to a depth of 1,000 feet. The Geological Survey estimates that there are 371,000 acres of workable coal, using as a basis veins 14 inches thick to a depth of 3,000 feet.

#### DISTRICT AGENTS.

After a trial of two years the usefulness of the district agency service has been fully demonstrated, and by reason of the large number of Indians, the extent of country, and the complicated conditions existing their services are indispensable to the protection of the interests of the restricted citizens of the Five Civilized Tribes. In two-thirds of the counties of the eastern porton of the State covered by the Five Civilized Tribes there is an earnest and conscientious cooperation between the probate courts and the district agents. In a few counties, however, it is only partial, while in the remainder the attempts to protect minors in the sale of land have been looked upon as intrusions, and, in one instance, the complaints became so numerous and the alleged frauds so flagrant that it was necessary for the matter to be referred to the Department of Justice for appropriate action.

In addition to probate matters the duties of the district agents include the adjustment of intruder cases, the handling of mineral, agricultural, and grazing leases made by restricted Indians, assisting the Department of Justice in connection with investigation of suits to clear title, investigation and execution of deeds by full-blood heirs where allottees died prior to May 27, 1908, which cases require the approval of the department, the receiving and investigation of applications by restricted Indians for removal of restrictions, the sale of land by such classes when under supervision of the department, and advising and counseling with Indians relative to their individual land transactions.

The efficiency of this branch of the service would be advanced by an increase in the number of employees, thereby admitting of a more

deliberate consideration and closer attention to individual restricted Indian matters.

The report of the superintendent of Union Agency, through which office the affairs of restricted Indians numbering about 30,000 are handled, shows there was collected from various sources, principally from sale of town lots, coal royalties, and moneys due individual Indians from sale of restricted lands made under supervision of the department and royalties on oil and gas leases, \$2,562,736.27, and the disbursements aggregated \$2,183,964.67. There was a total of 5,732 applications filed during the year by citizens for removal of restrictions, of which 2,004, aggregating 64,147 acres, were approved conditionally and land sold under the supervision of the department, and 1,331, aggregating 76,684 acres, were approved unconditionally, and said Indians permitted to dispose of their lands without restrictions. the total area from which restrictions were removed being 140,831 acres. Of the 2,004 conditional removals of restrictions, 627 tracts were advertised and sold, aggregating 53.192 acres, the consideration received therefrom amounting to \$566.666. During the year a change was made in the method of advertising the lands so as to show the appraisement thereof in the advertisement. There was collected \$100,790.69 as grazing fees on unallotted tribal lands during the year.

#### SCHOOLS.

Oscar H. Lipps assumed charge of the schools of the Five Civilized Tribes January 10, 1910, relieving the superintendent and the supervisors in each of the nations. In view of the dilapidated condition of many of the buildings, it has been decided to abandon a part of them and repair and equip those remaining. It has also been decided to introduce in the course of study the subjects of agriculture, manual training, and domestic science.

In the Choctaw Nation four tribal boarding schools were maintained, with an enrollment of 674, and 291 pupils were enrolled in contract boarding schools. One hundred and sixty-one day schools were maintained or assisted, in which were enrolled 584 Indians, 5,153 whites, and 502 negroes.

In the Chickasaw Nation five tribal boarding schools were maintained, with an enrollment of 517, and 106 pupils were enrolled in contract boarding schools. One hundred and forty-eight day schools were maintained or assisted, in which there were enrolled 323 Indians, 7,042 whites, and 537 negroes.

In the Cherokee Nation three tribal boarding schools were maintained, with an enrollment of 377. One hundred and forty-nine day schools were maintained or assisted, in which there were enrolled 1,681 Indians, 3,161 whites, and 209 negroes.

In the Creek Nation seven tribal schools were maintained, with an enrollment of 869. One hundred day schools were maintained or assisted, in which there were enrolled 216 Indians, 1,699 whites, and 2,412 negroes.

In the Seminole Nation two tribal schools were maintained, with an enrollment of 254 Indians, 211 whites, and 163 negroes.

The total cost of the maintenance of these schools during the year was \$412,065.78.

OIL.

There were 1,563 mineral leases covering lands of restricted Indians requiring the approval of the department, practically all oil and gas, filed with the superintendent of the Union Agency during the year, making a total of mineral leases filed to June 30, 1910, of 20,828, many of which, however, cover lands upon which restrictions have since been removed and lessees removed from departmental supervision. It is estimated that 44,221,000 barrels of oil were marketed during the year and that 44,323,000 barrels were in storage on June 30, 1910. About 28,000,000 barrels were run from land under leases still subject to the supervision of the department, under which Indians were paid, through the superintendent of the Union Agency, royalty aggregating, approximately, \$1,000,000, practically all leases providing for a royalty of  $12\frac{1}{2}$  per cent of the gross production.

The three pipe lines carrying oil from the Oklahoma field, namely, the Prairie Oil and Gas Company, which is a subsidiary company of the Standard Oil, the Gulf, and the Texas Pipe Line companies, are paying at the present time 42 cents per barrel. This is an increase of 7 cents over the price of a year ago. The question of whether a combination exists among the three pipe lines named for the purpose of restricting the price of oil has been brought to the attention of this department and is under investigation for appropriate action.

#### LEGISLATION.

Restricted allottees are permitted under existing law to dispose of timber and to lease their homesteads for one year and their other allotted lands for five years for any purpose without the approval of the Secretary of the Interior. As a result, these persons, who are considered incompetent to dispose of their lands, continually dispose of their timber and make leases for grossly inadequate consideration, as has been found in thousands of instances brought to the attention of the department. Under existing law, district agents are authorized, at the request of any allottee having restricted lands, to take such steps as may be necessary for the bringing of any suit or suits, and the prosecution and appeal thereof, to cancel and annul any deed. conveyance, mortgage, lease, or incumbrance of any kind or char-

acter, and to take all necessary steps to assist said allottees in acquiring and retaining possession of their restricted lands. It has been found in many instances that where frauds have been committed and action taken to secure cancellation of such lease or conveyance the Indian is importuned to revoke the authority previously given, and in many cases new leases or conveyances are taken providing no better compensation than in the instruments previously canceled.

I therefore recommend legislation as follows:

- 1. That sales of timber or stone and all grazing and agricultural leases executed by restricted Indians shall not be valid unless approved by local officers under rules and regulations of the department, but such legislation should not confirm existing contracts.
- 2. That the taking of any deed, mortgage, contract to sell, power of attorney, or other instrument affecting the use, control, or title of lands allotted to citizens of the Five Civilized Tribes prior to removal of restrictions therefrom be prohibited and provision made for proper penalty for the violation thereof.
- 3. That the attempt to procure any contract, unless previously authorized by the department, with any of the Five Civilized Tribes or enrolled members of freedmen thereof purporting to provide compensation to any person, firm, or corporation affecting tribal property or the undivided interest of any citizen therein be prohibited and any purported contract so secured should be declared null and void.
- 4. That in cases where any allottee having restricted lands for any reason fails or refuses to take possession thereof, the Secretary of the Interior, or any officer designated by him, be authorized to make on behalf of said allottee a lease of the same character as the allottee would be authorized to make, the proceeds to be disbursed to such allottee or his representative under rules of the department. Such legislation is desirable for the reason that several thousand allottees have as yet declined to recognize the law providing for allotments or to receive their allotment patents, consequently their lands are in possession of persons from whom the allottee receives no consideration.
- 5. That the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw nations, aggregating approximately 445,000 acres, be authorized, to be made under rules and regulations of the department, and that the mineral thereunder be disposed of separately, as may be deemed advisable in the best interest of the Indians.
- 6. That the Secretary of the Interior be authorized to abolish the position of any tribal officer when, in his judgment, such action is advisable.
- 7. That per capita payments from tribal funds to members of the Five Civilized Tribes be authorized at such time and in such amounts as may be deemed advisable.

8. By section 6 of the act of May 27, 1908 (35 Stat., 313), jurisdiction over persons and property of minor allottees of the Five Civilized Tribes of Indians was cast upon the probate courts of Oklahoma. Experience in the administration of the estates affected by the provision referred to has been unfortunate to an extent sufficient to raise doubts as to the wisdom thereof. While in the main the judges of the courts exercising such jurisdiction are men of integrity, several exceptions have been brought to light involving the loaning of money belonging to Indian minors to the judge exercising control over the minor's estate, and also to friends of such judge on notes indorsed by the latter. Attempts to reach such conditions under state law have been ineffective, and no means have been found of rendering the delinquent judge accountable under federal law, hence the advisability is urged of legislation which will remedy this defect.

## PATENT OFFICE.

During the fiscal year ended June 30, 1910, the total number of patents granted was 36,287, an increase of 1,955 over the fiscal year ended June 30, 1909. The total money receipts from all sources were \$2,022,043.26, an increase of \$46,123.29 over the previous year. The total expenditures amounted to \$1,953,549.76, an increase of \$66,106.41. The excess of receipts over expenditures for the fiscal year ended June 30, 1910, was \$68,493.50.

At the end of the fiscal year arrangements had been made for removing the models of inventions from a storage warehouse to the subbasement of the House of Representatives Office Building, in accordance with the provisions of the legislative, executive, and judicial appropriation act approved June 17, 1910, which arrangements have been carried out.

As a result of the increase in the business of the Patent Office and the increased force that must necessarily be provided for from year to year, the Patent Office building is now crowded to its utmost capacity. During the last fiscal year the branch printing office that was located in the basement of the Patent Office building was abolished and four additional rooms were assigned for the use of the examining force of the Patent Office. The Patent Office has been encroaching on the Secretary's office for some years past, but it will be impossible for the Secretary's office to give up any more space. It is, therefore, essential that some adequate provision be made in order to accommodate the increased force that will be necessary from year to year for the operation of the Patent Office. This may be accomplished by building an addition to the Patent Office in the court of the present building, or by constructing a new building, either for the use of the Patent Office or for the use of the Secretary's office and

one or more of the other bureaus. Elsewhere in this report attention has been called to the fact that other bureaus of this department, especially those in rented quarters, are badly overcrowded. The question of providing sufficient office room is one of the most serious problems of the administration of this department in Washington.

#### PENSION OFFICE.

At the beginning of the fiscal year ended June 30, 1910, there were 346,194 pensioners on the roll. There were added thereto during the year 29,219, made up of original allowances, restorations, and renewals. There were dropped therefrom 54,330, occasioned by death, remarriage, minors attaining the age of 16 years, failure to claim for three years, and all other causes, making a net reduction in the rolls of 25,111, leaving the total number on the rolls at the close of the year of all classes 921,083, of which 602,180 were soldiers and sailors, 318,461 were widows and dependents, and 442 were army nurses.

The unexpended balances of the appropriations at the close of the fiscal year covered into the Treasury were as follows:

Fer pensions	\$29, 150. 39
For medical examination	152, 316.00
For salaries and clerk hire, pension agencies	
For rent, contingent expenses, and inspection of agencies	9, 214. 16
For salaries, Bureau of Pensions	48, 779. 67
For salaries, per diem and expenses of special examiners	27, 332. 32
For installation of card-index system	3, 479. 97
Total	280 753 09

The amount expended for pensions during the year was \$159,974,056.08, a decrease as compared with the previous year of \$1,999,647.69. The cost of administration in connection with the adjudication of claims and the payment of pensions, etc., was \$2,657,673.86. This is the smallest amount paid in any one year for such administration for twenty-seven years. The last-named figures show a reduction in the running expense of the bureau of nearly \$200,000 as compared with the previous year.

There was disbursed for pensions from July 1, 1790, to June 30, 1865, \$96,445,444.23. From July 1, 1865, to June 30, 1910, the total disbursements for pensions were \$3,976,611.125.58. The cost of maintenance and expenses for same period, \$118,362,734.68, making a total of disbursements from July 1, 1865, of \$4,094,973,860.26.

At the beginning of the year the number of applications pending of all kinds was 66,226. At the close of the year there were pending 47,295 applications, exclusive of a number which have been placed in the abandoned files. The total number of applications filed during the year was 132,012. There were admitted during the year 97,207; rejected, 38,032; cases adjudicated where no benefits were derived

other than those rejected, 1,198, making the total number adjudicated 136,437. Allowance of accrued pensions was made in 21,089 cases, being issues made for payment of pension in case of deceased pensioners from date of last payment to date of death.

There have been granted since 1861 by special acts, 32,401 pensions, of which number 19,422 were on the roll at the close of the year with an annual face value of \$5,725,246. Only a little more than one-half of the amount is properly chargeable to special acts, as most of the beneficiaries had been previously pensioned under general laws at lower rates. During the second session of the Sixty-first Congress 6,063 pensions were included in special acts.

The largest number of pensioners on the roll at the close of any fiscal year was on June 30, 1902, when the total was 999,446. The largest amount paid for pensions in any one year was for the year ended June 30, 1909, when the total was \$161,973,703.77.

As a matter of historical interest it is noted that there is one pensioner on account of the Revolutionary War remaining on the rolls, a daughter of a soldier who served in a New Hampshire company. She is 89 years old. Of the war of 1812, 338 widows were on the roll June 30, 1910. The last surviving pensioned soldier of the War of the Revolution died in 1869. The last widow pensioner of that war died in 1906. The last surviving pensioned soldier of the war of 1812 died in 1905.

Since the passage of the act of March 3, 1899, providing for division of pensions of resident pensioners of the United States who shall desert their wives or minor children or who are inmates of national or state soldiers' and sailors' homes, 10,843 claims have been filed, of which number 6,742 were allowed.

Eleven bounty land warrants were issued during the year, granting 1,440 acres of land, and 76 claims were adjudicated. Twenty-five claims were pending at the close of the year.

On June 30, 1910, there were also pending 1,512 reimbursement claims for expenses of last sickness and burial of deceased persons. There were disposed of during the year 8,202 claims, of which number 6,478 were allowed in whole or in part, 1,029 were disallowed, and 695 were abandoned.

There were 89 new cases presented to the Department of Justice on account of offenses against the pension laws, and indictments were found in 71 of such cases. There were 61 cases brought to trial during the year, in 55 of which convictions were secured. Only 9 of these cases were against persons rendering military or naval service. At the close of the year 145 cases were pending in the hands of United States attorneys.

Three civil suits were instituted during the year, and of those pending and instituted 1 was compromised and 2 settled by payment of

amount involved, leaving 4 suits yet pending. There was recovered from all sources, including reclamation on forged checks, \$20,557.38.

From time to time Congress has been asked to abolish or decrease the number of pension agencies in the United States, with a view to economy in the disbursements of pensions.

I recommend that this matter be given careful consideration by Congress, as it appears from the annexed report that in the neighborhood of \$200,000 can be saved in the cost of the payment of pensions by the abolishment of all of the agencies.

I append hereto report of the Commissioner of Pensions on this subject:

**OCTOBER 4, 1910.** 

#### The Honorable the SECRETARY OF THE INTERIOR.

SIR: I have the honor to submit herewith estimates for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1912, and for other purposes, as follows:

Army and navy pensions	<b>\$153</b> , 000, 000
Fees and expenses of examining surgeons	200, 000
Salaries of 18 pension agents, at \$4,000 each	72, 000
Clerk hire and other services, pension agencies	385, 000
Rent, New York City agency	4, 500
Examination and inspection of pension agencies.	1, 500
Stationery and other necessary expenses of pension agencies	25, 000

This estimate is based upon the law as it now stands, providing for 18 pension agencies. If, however, the number of agencies be reduced from 18 to 9, the expense of conducting the agencies would be as follows:

Salaries of 9 pension agents, at \$4,000 each	<b>\$36, 000</b>
Clerk hire	345,000
Stationery and other necessary expenses	<b>25, 000</b>
Examination and inspection of pension agencies	1 000

This would make a reduction in the expense of conducting the agencies of \$80,000 per annum. Should the law be so changed as to abolish the pension-agency service and provide for the payment of pensions through a disbursing officer, under the Commissioner of Pensions, the cost of paying pensions would be as follows:

Clerk	hire	\$300,000
Statio	nery and other necessary expenses	20, 000

This would make a reduction in the cost of paying pensions in this one bill of \$168.000, as compared with the estimates for the 18 agencies. There would be a still further reduction in the cost of printing pension vouchers, printing pension checks, and in the keeping of records in this bureau which are now necessary under the present system, which would make a reduction (including the \$168,000 above mentioned) of over \$200,000 in the cost of the payment of pensions.

Very respectfully, (Signed) J. L. DAVENPORT,

Commissioner.

## APPEALS IN PENSION AND BOUNTY LAND CLAIMS.

The number of appeals and motions for reconsideration pending at the beginning of the fiscal year, July 1, 1909, and those filed during the year, their disposition, and the number pending July 1, 1910, is shown by the following table:

	Pending July 1, 1909.	Filed during the year.	Rein- stated.	Total.	Disposed of.	Pending July 1, 1910.
Original merit appeals Fee appeals Motions for reconsideration	644 8 4	4, 428 50 120	1	5, 073 58 124	4, 850 54 123	223 4 1
Total	656	4, 598	1	<b>5</b> , 255	5, 027	228

In 264 cases the Pension Office was reversed, and in 194 cases the Commissioner of Pensions reported that upon reconsideration the adverse action taken by the bureau was receded from, and asked permission to allow appellants' contention. The department after considering the appeals decided that the action proposed by the bureau was warranted under the law and the evidence, and the papers were returned to the bureau for final action and favorable adjudication.

There were also during the year returned to the bureau for further action and report 215 cases for the reason that upon review it was found that additional and material evidence had been filed which had not been considered by the bureau, or that a special examination or another medical examination was thought necessary, or for various reasons the claims had not been properly adjudicated. At the close of the year there were 49 of such cases pending, which are included in the total number of pending appeals as shown by the table.

During the months of July, August, and September of the present year there were filed 731 cases. During the same period there were disposed of 746 cases, leaving 213 cases pending on October 1, 1910.

The rapid diminution in the number of cases presented to the Board of Pension Appeals indicates that its present numerical strength is more than sufficient, or will be more than sufficient, to care properly for the work coming before it at the beginning of the next fiscal year, July 1, 1911, unless there should be some additional legislation of a general nature calculated to raise new issues which would require final determination. All questions of law and practice under existing pension legislation have been well settled and determined.

I have, therefore, in the estimates transmitted in accordance with existing law to the Secretary of the Treasury for transmission to the

Congress provided with respect to the Board of Pension Appeals as follows:

That the Board of Pension Appeals be abolished from and after July 1, 1911, and that from and after said date, the duties theretofore performed by said board shall be transferred to the office of the Assistant Attorney-General for the Department of the Interior; that two members of said board, who are admitted to the bar, shall be transferred to the Assistant Attorney-General's office as assistant attorneys at a compensation of \$2,500 and \$2,250 per annum, respectively, and one member of said board shall be transferred to his office for services as medical expert at a compensation of \$2,000 per annum, for the examination of appeals involving medical questions. That each person (other than the three who shall be transferred to the office of the Assistant Attorney-General as above provided) who is a member of the board at the date of its abolition shall be transferred to and assigned to duty in the Pension Office. That no vacancy hereafter occurring in either of the positions so transferred to the Pension Office shall be filled by original appointment, transfer, or otherwise.

The work of the Board of Pension Appeals on appeals coming to the Secretary's office from the final action of the Commissioner of Pensions, is the only exception in this department to the general rule that all appeals shall lie to and be considered in the office of the Assistant Attorney-General; and as an additional reason for my recommendation, I feel that there should be uniformity in the course of appeals from the final action of bureau heads to the department.

# BUREAU OF EDUCATION.

The most important features of the work of the Bureau of Education during the last fiscal year have been the organization of a Division of School Administration and the provision by Congress for the appointment of a specialist in higher education. The Division of School Administration will have charge of all matters referred to this office relating to school legislation, the administrative methods of state and city education officers, and the statistical work relating to state and city school systems. It is also actively cooperating with the chief educational officers of the several States, with the object of establishing uniform regulations regarding the recognition of teachers' certificates. The specialist provided for by Congress will devote his attention to standards of college and professional education, the statistics and accounting systems of colleges and universities, cooperation in graduate studies, and the opportunities afforded in this country for foreign students.

Estimates have been submitted to Congress for the employment of 10 additional specialists and a number of additional clerks at a total cost of \$75,000. If provision is made for these specialists they will cover the field of school administration, industrial education, education for housekeeping, school architecture, rural education, school hygiene, accounting and statistics, commercial education, secondary education, and wider use of the school plant. They will systematize the collection of information, will make personal visits to various educational institutions in order to familiarize themselves with the actual conditions in various parts of the country, and will make available to educational officers throughout the country the most approved methods for promoting educational efficiency.

During the last fiscal year there were maintained in Alaska 77 public schools for natives, in which 3,962 pupils were enrolled, with an average attendance of 1,704. During the summer of 1909 13 additional school buildings were provided. Instruction in agriculture, cooking, sewing, bench work, washing of clothes, cleaning of houses, sanitation, and hygiene is now general in the native villages throughout Alaska.

While this work has been carried on successfully under the direction of the Commissioner of Education, it is believed that still better results could be achieved if the field of work were not so far removed from the seat of administration. Moreover, this work of instruction has no logical place in the activities of the Bureau of Education, which is essentially a bureau of information and a clearing house for advice upon educational topics. I recommend that the schools for natives in Alaska be placed under the jurisdiction of the governor, through a resident commissioner of education, who should have charge of all the public schools. There is no good reason for separate administrative machinery for the public schools for white children and the schools for natives.

The reindeer industry has become one of the most important features of the economic life of the Eskimo, and the latest available statistics, those for the fiscal year ended June 30, 1909, give the total number of domestic reindeer in Alaska as 22,915. The number of reindeer owned by the natives increased from 46 per cent at the end of the fiscal year 1908 to 49 per cent at the end of the fiscal year 1909. This increase is due to the establishment of five new stations as additional centers of distribution, to the transfer of reindeer to natives in payment for services rendered, and to increase in the number of apprentices at the reindeer stations. The supervision of the reindeer industry is more out of place in the Bureau of Education than the supervision of schools for natives, as the supervision of this industry is properly a function of the district government. I recommend that it be transferred from the Bureau of Education to some supervisory officer under the governor of Alaska.

## NATIONAL PARKS AND RESERVATIONS.

Congress is to be commended for setting apart vast areas for national parks, over 4,500.000 acres being now embraced in national reserves of this class. John Muir is authority for the statement that Professor Hayden, above all others, is entitled to the credit of securing the dedication of the Yellowstone as a national park, for he led the first scientific exploring party into it, described it, and urged upon Congress its preservation. The creation of the Yellowstone Park by the act of March 1, 1872, marks the beginning of these national institutions which now demand more than a perfunctory policy. The setting apart and dedication of our national parks for the people is the only practical means of preserving their wild grandeur from human desecration; "specimens of the best of nature's treasures have been lovingly gathered here and arranged in simple, systematic beauty within regular bounds."

Of the national parks that have been created by congressional action, the following are entitled to rank as worthy of being called national institutions: The Yellowstone, the Yosemite, the Sequoia, the General Grant, the Mount Rainier, the Crater Lake, the Glacier, the Mesa Verde, and there should be added the Grand Canyon of the Colorado, for the creation of which a bill is now pending in Congress. The areas of these and other parks, together with dates of establishment, are shown in the following table:

Date of establishment and area of national parks.

ate of estab- lishment.	Area.
Iar. 1,1872 let. 1,1890 let. 1,1890 lar. 2,1899 lar. 2,1899 lar. 2,1902 an. 9,1903 lar. 2,1902 lar. 2,1899 lar. 2,1899 lune 29,1906 do	480.0 42,376.0 175,360.0
lay 11,1910	981.681.
u I e	ne 16, 1880

The interest of the public in the parks has been greatly augmented of recent years, as is evidenced by the increased amount of travel thereto and the many demands for literature relating to these reservations. The interest in these national parks is not confined to the people of the United States, but extends to foreign countries. The Swiss Government, at its request, has been supplied with reports of

the superintendents in charge and laws and regulations governing the various national parks. Similar information has been furnished the forestry branch of the department of the interior of Canada; also the Verein Naturschutzpark of Stuttgart, Germany, an association the object of which is the establishment of parks or reservations for the preservation and protection of the game, fauna, and flora of Germany and Austria, to be modeled after the Yellowstone National Park, though on a smaller scale. Information on the subject of the Yellowstone Park in particular has been furnished the superintendent of the New Zealand tourist and health resorts, the United States consul at Sydney, New South Wales, for the information of the secretary of national parks in that country, and the secretary of the Royal Geographic Society of Australasiā at Melbourne, Victoria.

In view of the facility of reaching our national parks from the Atlantic and Middle West States, through improved rail connections, and the convenience of travel by tourists through them, which is being rapidly improved, the comment is a natural one, "Why do so many of our American people spend their time and money touring abroad without knowing their own country?" The scenery and natural wonders found in other countries frequented by our people are insignificant compared with that of our great national parks and the mountain ranges in which they are found.

It has been broadly estimated that over \$100,000,000 has been spent in some years abroad by American tourists; only a fraction of this amount is spent by Americans in visiting the great American parks and resorts.

One of the advantages of popularizing the national parks by eastern tourists would be the display of greater interest in their improvement by the Congress, in liberal appropriations to increase their accessibility by roads and other establishments for public convenience and pleasure.

The Wind Cave National Park, containing 10,522 acres; Sullys Hill National Park, containing 780 acres, and Platt National Park of 848.22 acres, created by Congress at different times, may be said to be local parks having no sufficient national characteristics to warrant their development as such. The policy should be, in my estimation, to retain none of the national parks heretofore dedicated which will not warrant development as national institutions as distinguished from municipal or state parks or resorts. If it is desired that they be retained for public purposes and so improved, I would recommend that they be conveyed to the States for that purpose.

Respecting Sullys Hill National Park, there is nothing to distinguish it from the surrounding territory. I am of the opinion that it can never be made a park even of state-wide importance. Its only use appears to be for camping grounds for inhabitants of the neighbor-

hood, and it contains no features to attract visitors from remote parts of the country. It is located on the shore of Devils Lake, has about 2 miles of shore line, and extending back from this shore line is what is known as "Sullys Hill." This is a steep hill, devoid of trees, on which, according to tradition, an engagement occurred between Gen. Alfred Sully and the combined tribes of hostile Indians of the Northwest. This tradition can not be verified, as no engagement occurred at this point between General Sully and hostile Indians. The balance of the area is low and is covered with a growth of cottonwood, willow, and other small trees indigenous to the country. It contains a small lake known as "Sweet Water Lake," in the southwest corner of the reservation.

The Wind Cave National Park, containing 10,522 acres of land, was created by the act of January 9, 1903 (32 Stat., 765). It is situated in the southeast corner of Custer County, S. Dak., and is rather difficult of access by railroad. The surface presents the same aspect as the surrounding country. Its attractive feature is the cave, which has been explored to an approximate depth of 500 feet and 5 miles in length.

This cave is made up of many miles of galleries branching and reticulating along the joint planes of limestone, with numerous chambers of considerable size, one below the other, and containing varied-colored rocks and formations of many shapes and designs.

The approximate number of visitors to the park during the season of 1910 was 3,387, and the total revenues were \$673.25.

Owing to its inaccessibility and the fact that its scenic attractiveness is not sufficient, in all probability, to inspire a greater number of visitors to the park, it should be classed as a local or state park, and can never in any sense of the word become a national park.

If the park should be retained, a sufficient appropriation should be made for necessary buildings for park administration and the accommodation of visitors, it being located 12 miles from the city of Hot Springs.

As to the future of the Platt National Park, I am of the opinion that from an administrative standpoint it will be well to cede it to the State of Oklahoma; in fact, the act of July 1, 1902 (32 Stat., 641, 655), "An act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians," provided among other things that in the future the lands and improvements in the park should be conveyed by the United States to such territorial or state organization that might exist at the time such conveyance should be made. The act of April 21, 1904 (31 Stat., 220), and joint resolution of June 29, 1906 (34 Stat., 837), created a national park, apparently superseding the legislation above referred to. The only appropria-

tion made for this park was \$5,000 carried in the sundry civil bill of June 25, 1910.

Its main feature, and, in fact, the only feature to commend it from a scenic standpoint, is Travertine Creek, which rises at the extreme east end and is formed by the junction of two small streams fed by springs. A number of falls, none of which is over 3 or 4 feet in height, occur between the source of the stream and Central avenue.

There are a number of springs on the reservation, the principal ones being Bromide, Bromide-Sulphur, Black Sulphur, Hillside, Pavilion, Beach, Wilson, and Jericho springs. Antelope and Buffalo springs are nonmineral in character. All artesian wells sunk in the vicinity of the park produce the same character of water.

As regards the national parks which have been created and are capable of development as national institutions, a definite policy for their maintenance, supervision, and improvement should be established, which would enable them to be gradually opened up for the convenience and comfort of tourists and campers and for the careful preservation of their natural features. Complete and comprehensive plans for roads, trails, telegraph and telephone lines, sewer and water systems, hotel accommodations, transportation, and other conveniences should be made for each of the national parks before any large amount of money is expended. The treatment of our national parks, except as regards the Yellowstone, has not had heretofore the benefit of any well-considered or systematic plans. In all of them the road and trail problems for public travel and convenience to enable tourists to obtain the benefits of scenic beauties are primary, but sewage, water, and electric power problems are after all of equal importance.

The patrol of the national parks is also a matter of prime importance in their supervision. The system of maintaining regular troops in the Yellowstone, Yosemite, Sequoia, and General Grant parks has proved entirely satisfactory as a method of patrol. The moral effect of the troops in protecting against malicious mischief and enforcing regulations, and the saving of expense in administration by their use, justify their assignment. I believe, however, that civilian superintendents should have charge of the administrative government of all of the national parks, with military supervision confined to the enforcement of regulations pertaining to public travel and preservation of game and natural curiosities. Outside of the Yellowstone National Park the administration of all of the parks is embarrassed by the fact that they contain within their bounds certain areas of private lands, which should be acquired by the Government, and all private interests, including toll roads, extinguished. The private holdings are as follows: Yosemite National Park, 19,827 acres; Sequoia National Park, 3,716.96 acres; Wind Cave National Park, 160 acres; Crater Lake National Park, 1,337 acres patented land, and

1,121.11 acres unperfected bona fide claims; Mesa Verde National Park, 400 acres patented lands and 480 acres unperfected bona fide claims; Mount Rainier National Park, 18.2 acres patented lands; Glacier National Park, 8,864.40 acres patented lands and 7,803.71 acres unperfected bona fide claims.

In order that creditable progress may be made in each of the national parks, after the development of all necessary plans for road and other construction for the convenience of travel and tourists, liberal appropriations will be required and a departmental organization for administrative purposes perfected, capable of efficient field administration and of careful inspection of all public works and the conduct of concessionaires. It will doubtless be necessary in the accomplishment of these purposes to create a bureau of national parks and resorts, under the supervision of a competent commissioner, with a suitable force of superintendents, supervising engineers, and land-scape architects, inspectors, park guards, and other employees.

The creation of such a bureau and the planning under it of a consistent and broadly considered scheme for national parks and resorts to fit the future needs of the United States of America would be in line with the policy under which our first President planned, in 1803, the federal city which now bears his name, without which planning no such civic convenience, beauty, impressiveness, and national dignity as the city of Washington now enjoys would have been possible.

The volume and importance of the work of the supervision of the national parks and resorts under the Secretary of the Interior has passed beyond the stage of satisfactory control by operations carried on with the small force available in the Secretary's office. The table shown in Appendix J gives appropriations for various years for the several parks now under the supervision of the Interior Department, including the revenues received from other sources.

The acts of Congress setting aside the various national parks, except in the cases of the Crater Lake National Park, the Mesa Verde National Park, and the Glacier National Park, authorize the expenditure of the revenues derived therein in the management and protection of the reservation, and in the interest of good administration legislation should be enacted authorizing the use of such revenues in the parks so far as necessary.

The construction of roads in the Yellowstone National Park has been under the direct supervision of the engineers of the War Department, and this work has been done in a creditable and scientific manner. The road construction in the Mount Rainier Park has likewise been under the supervision of the army engineers. The Interior Department should, however, have supervision over the construction and maintenance of park roads with a suitable force of engineers to carry on the work according to the general plan of de-

velopment. Estimates have been furnished the department by superintendents of several of the parks for the extension of roads and trails, which I have not felt justified in recommending, in view of the lack of well-defined policies and plans for their general development and improvement. Additional road construction is greatly needed in the Yosemite, Sequoia, and General Grant national parks, in California; Mount Rainier National Park, in Washington; Crater Lake National Park, in Oregon; and the Mesa Verde National Park, in Colorado. A carefully planned sewer system is necessary in the Yosemite National Park as well as increased water and electric power facilities.

During the past year a uniform method of accounting relating to concessionaires in all of the parks has been established and a material increase made in the receipts for the privileges enjoyed by them. It is worthy of comment that the receipts for 1910, in round numbers, were \$51,000, as against \$22,000 in 1909. Private investments by concessionaires outside of transportation facilities are confined principally to the Yellowstone. The hotels, lunch stations, and other structures owned by concessionaires and transportation equipment in the various parks are valued approximately as set out in the following table:

Structures in various parks owned by concessionaires.

. Name of park.	Value of hotels, etc.	Value of plant.
Yellowstone National Park: Yellowstone Park Hotel Co.— 6 hotel* and 2 lunch stations. Other property. Yellowstone Park Transportation Co. Monida and Yellowstone Stage Co. Wylie Permanent Camping Co.	26, 228. 09	\$1,210,000.00  a 615,000.00 a 160,927.73 a 221,318.13
Hofer Boat Co  Yosemite National Park (2 hotels owned and leased by Government).  Mount Kainier National Park:  Tacoma Eastern R. R. Co.—  Hotel (buildings and tents)  Other property.	19, 650. 67	\$ 40,577.34 \$35,000.00 \$1,581.91

<sup>•</sup> Including buildings, horses, stage equipment, etc.
• Including buildings, boats, equipment, etc.
• Original cost.

In all of the parks, except the Yellowstone, great difficulty of administration is encountered from the fact that the department has no jurisdiction to punish offenses in violation of its regulations, and I therefore recommend that jurisdiction be given to the department over all offenses, with a provision of suitable penalties for the violation of the regulations of the department, for the protection of game, and to prevent destruction or injury to government property.

In the Mount Rainier, Crater Lake, General Grant, and Wind Cave national parks automobiles have been allowed entrance under license and strict regulations pertaining to travel upon the roads. believed that in a measure this privilege may be extended to some of the other national parks without jeopardy to the traveling public.

In some of the national parks mining locations are permitted, but the tendency is to abuse the privilege in order to secure rights which will ultimately have to be bought out by the Government. The department is now exercising the strictest vigilance to prevent speculative locations from ripening into patent or a vested right.

I believe that in the administration of our national parks it may be feasible to use for guides, and possibly for guards in a limited sense, intelligent Indians, and an effort will be made to give them such employment where they can be used to advantage.

The following table shows the number of visitors entering the national parks and resorts during the last five years:

Visitors	to	national	parks,	1906	to	1910.
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Name of park.	1906.	1907.	1908,	1909.	1910.
Yellowstone National Park Yosemite National Park Sequoia National Park General Grant National Park Mount Rainier National Park Mesa Verde National Park Crater Lake National Park Wind Cave National Park Platt National Park Sullys Hill National Park Hot Springs Reservation	700 900 1,786 (a) 1,800 2,887 (a)	16, 414 7, 102 900 1, 100 2, 068 (a) 2, 660 2, 751 28, 000 400 (a)	19,542 8,850 1,251 1,773 3,511 80 5,275 3,171 26,000 250 (a)	32, 545 13, 182 854 798 5, 968 165 4, 171 3, 216 25, 000 190 (a)	19, 57 13, 61 2, 40 1, 17 8, 00 25 5, 00 3, 38 5 25, 00 19 120, 14

a No record kept.

A table giving the location, date of establishment, area, private land holdings (if any), number of visitors, and special characteristics of the national parks is found in Appendix K.

#### FOREST FIRES IN NATIONAL PARKS.

In nearly all of the national parks, through certain seasons of the year, danger from forest fires requires constant vigilance, and an effort should be made to reduce the chances of loss of timber in the national parks from this destructive agency by a sufficient clearing away of the dead and down timber. The accumulations of dead timber and brush should be destroyed in seasonable weather, except where the timber may have a commercial value. In such cases it should be cut and marketed without injury to the growing timber. Protective zones should be cleared through the parks where roads and trails will not suffice to give easy access to and protection from fires, and railroads running adjacent to parks should be required to provide against fires from locomotives by the use of spark arresters, or by keeping their rights of way free from brush, grass, and other combustible material. The Mariposa Big Tree Grove, adjoining the Yosemite National Park, has been ordered by me to be cleared of dead timber and brush, in order to save the 300 Sequoia giants from destruction

<sup>&</sup>lt;sup>b</sup> Estimate.

by forest fires, which are bound to run over the adjacent logged-off lands in the near future.

During the past season forest fires occurred in the Yellowstone, Yosemite, Sequoia, General Grant, and Mount Rainier national parks, which were extinguished by the force on duty in such reservations. These fires were not serious in character and the damage done was inconsiderable. In the Glacier National Park, Montana, however, the conflagrations were of such magnitude, destroying thousands of feet of timber, that it became necessary, owing to the inability of the department with the limited force in the reservation to cope with the fires, to call upon the War Department for a detail of troops to assist in the extinguishment. Such requests were promptly complied with. The officers and men assigned to the duty rendered excellent service and are entitled to the highest commendation for their effective work.

### HETCH HETCHY VALLEY PERMIT.

In February of this year I issued a citation to the mayor and supervisors of the city and county of San Francisco to show cause why the Hetch Hetchy Valley and reservoir site should not be eliminated from the permit theretofore granted to the city on the 11th day of May, 1908, for a water supply for said city and county. A board of army engineers, at my request, was detailed by the Secretary of War, at your instance, as advisory to the Secretary of the Interior in the disposition of this question. Upon considering the application of the city for the extension of time to secure further data, a continuance was granted for this purpose for one year, and the board of engineers was authorized to receive such data as may be furnished by the city to establish its claim for the necessity of the use of the Hetch Hetchy site and to secure such other necessary data as they may deem advisable. An appropriation in the sum of \$12,000 was granted by Congress to defray the expenses of this board. The details of this hearing are fully set out in the published proceedings had before the Secretary of the Interior in May, 1910.

The stipulations of the permit provide, among other things, that the Lake Eleanor site shall be developed to its full capacity before beginning the development of the Hetch Hetchy site.

The city's representatives have surveyed a dam site in sec. 3, T. 1 N., R. 19 E., at Lake Eleanor, and have begun to clear and explore for foundations for the dam, the timber on the site having first been appraised by a forest officer of the Department of Agriculture, at the request of the Secretary of the Interior. A camp site and temporary buildings for the laborers were also established. Preliminary surveys of the Lake Eleanor main canal, running from the dam above mentioned to a junction with the Hetch Hetchy main canal, and of the

Cherry Creek diversion canal, running from Cherry Creek, in sec. 8, T. 2 N., R. 19 E., to the Lake Eleanor dam site, were approved by the department on February 25, 1909.

The sum of \$13,128.77 has been accepted from the city as payment in full for timber and forest growth in the reservoir space of Lake Eleanor, Tuolumne County, Cal., upon the land under control of the United States to be flooded by the first reservoir level constructed under the grant to the city of May 11, 1908.

#### PRESERVATION OF AMERICAN ANTIQUITIES.

By an act approved June 8, 1906, entitled "An act for the preservation of American antiquities," the President of the United States is authorized, "in his discretion, to declare by public proclamation historic land marks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments." Under such authority the President has created the following monuments:

National monuments administered by Interior Department.

Name. State.		ite. Dâte.	
		G 04 1000	Acres
Devils Tower	. wyoming	Sept. 24, 1906	1,1
Montezuma Castle			10
Petrified Forest	do	do	60,7
El Morro	. New Mexico	do	16
Chaco Canyon	. do	Mar. 11, 1907	20,6
Muir Woods a			29
Lewis and Clark Cavern	. Montana	May 11, 1908	10
Tumacacori			1
Navajo b	do	Mar. 20, 1909	€ 6
Mukuntuweap	Utah	July 31, 1909	15.8
Shoshone Cavern	Wyoming	Sept. 21, 1909	2
Natural Bridges			82.7
Gran Quibira	New Mexico		i i
Bitka	Alaska	Mar. 23, 1910	-
Rainbow Bridge			1 1

Donated to the United States.

# National monuments administered by Department of Agriculture.

Name.	State.	Date.	Area.	
Cinder Cone Lassen Peak Gila Cliff Dwellings Tonto Grand Canyon Pinnacles Jewel Cave Wheeler Mount Olympus Oregon Caves		Nov. 16, 1907 Dec. 19, 1907 Jan. 11, 1908 Jan. 16, 1908 Feb. 7, 1908 Dec. 7, 1908 Mar. 2, 1909	Acres. 5, 12 1, 28 16 64 806, 40 2, 08 1, 28 30 48	

<sup>Within an Indian reservation.
Based on 15 known ruins, with a reserved area of 40 acres surrounding each ruin.
Exterior limits of tract specified in proclamation contain 918,310 acres.
The second proclamation; the first one, dated April 16, 1908, reserved only 120 acres.</sup> 

Paragraph 3 of the uniform rules and regulations promulgated by the Secretaries of the Interior, Agriculture, and War, under date of December 28, 1906, to carry out the general provisions of the "antiquity" act, reads as follows:

Permits for the excavation of ruins, the excavation of archæological sites, and the gathering of objects of antiquity will be granted, by the respective secretaries having jurisdiction, to reputable museums, universities, colleges, or other recognized scientific or educational institutions, or to their duly authorized agents.

During the year four permits were granted for the examination, excavation, and gathering of specimens in the Aleutian Islands, Alaska; in Santa Clara Indian Reservation, N. Mex.; in Navajo National Monument, Arizona, and San Juan Valley, in the contiguous State of Utah and Territory of Arizona. Two permits were granted for the gathering of samples of silicified wood from the Petrified Forest National Monument, Arizona, and three applications for the latter were denied.

As stated in my last annual report a number of the largest archæological institutions in the country have claimed that the uniform regulations of December 28, 1906, should be amended so as to remove certain restrictions which they regarded as oppressive. This matter is still under consideration in the department.

It is respectfully recommended that the administration and supervision of all of the national monuments be consolidated under one department.

### BIRD RESERVES.

No new reserves for the protection of native wild birds were created during the fiscal year. A number of these reservations lie within tracts reserved or set aside for purposes other than the protection of birds, such as reclamation withdrawals and naval reserves, but in all such cases the administration of the bird reservation is made subject to the use of the reservation under the primary and more important segregation. The reservations now existing, which are being administered under the direction of the Biological Survey, Department of Agriculture, are 51 in number. For table of reserves see Appendix L.

### HOT SPRINGS RESERVATION, ARKANSAS.

During the past year many changes have been effected in the administration of this reservation, which was created by the act of Congress of April 20, 1832 (4 Stat., 505), the reason for such reservation undoubtedly being a belief then entertained and subsequently confirmed as to the medicinal value of the waters of the springs.

There appears to have been no legislation concerning this reservation until the passage of the act of June 11, 1870 (16 Stat., 149),

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providing for the settlement of the claims to lands in said reservation, the act of March 3, 1870 (19 Stat., 377), providing for a conmission to survey and lay out a portion of said reservation in estistreets, etc., and reserving from sale Hot springs Mountain on with the hot or warm springs are located and authorizing the appearment of a superintendent, the act of December 16, 1878 (26 Stat. 268), providing for both house leases and the maintenance of both for indigent persons, and thereafter the act of June 16, 1886 (2). Stat., 289) creating the reservation is at now exists.

Two thousand one hundred and thirty five lots were platted by the Hot Springs commissioners all of which have been disposed of a the manner provided by law, with the exception of 169.

The tracts known as South Mountain West Mountain Sugar Low Mountain, and Hot Spring. Mountain were forever reserved from as, and dedicated to public use as park, by the act of June 16, 186. They have an area of 911 63 acres and are known as the spermaners reservation.

The total number of prings on Hot springs Mountain is 40 % an approximate flow of 1000,000 callons daily the range of terperature being from 07 to 0.15. It. The entere from these spring which are highly radio of a six horizoter and world famed for their caratic spring are supplied under least for various period to both horizon and hotel.

As a result of the for going legiclation, most of the binds not perminently reserved by the United State Decime a part of the city of Hot springs and persod into preside occurs hip

At the time of the idination of Arkinesia, a fatte exclusive paradiction over the land of the defector that is a fatter was not reserved to the Lantel of title and an encourage receive the state laws obtained there exists a remain of capture to a portion of Hot Spring Mountain over short the Categorian time agreeded purisdiction to the Lantel of title. In the latter in time the department preserved regulations go enough it management on the nonnexpolity of Hot Springs, which about the receiver of a reserved and are for the government thereof. The develot parasit to the allow that a resulted in mechanical energy which in the colours and the reservation.

In my judyment as its factors as a common testion of affairs at Hot Springs will reserve be attraced setal the Leeberd Convernment shall by common or otherwise be a test of the special on over the managinal affairs of the estat of Hot special

In 1903 regulation, were adapted for the general verteof the recenlation which required, among other to not be to be visited dearing to pre-cribe waters from the prings about he rightered and a board of three competent physician, was appointed to persupon the qualifications of physicians making application for registration under the rule. Subsequently, in the interest of better administration it was found desirable to increase the membership of the board and make one member thereof a lawyer; and accordingly on April 11, 1910, the old board of medical commissioners was dispensed with and in lieu thereof a federal registration board was created, consisting of four competent physicians, one of whom is the surgeon in charge of the Army and Naval General Hospital at Hot Springs, and the other a lawyer. The terms of office of the members of the board were so fixed that the body as now constituted is a continuing one, each member serving a term of four years.

This board promptly entered upon the discharge of its duties and new rules and regulations were promulgated governing the registration of physicians desiring to prescribe the waters from the Hot Springs Reservation, the rigid enforcement of which has resulted in preventing the registration of a number of physicians.

Several representatives of this department who heretofore had made examinations of the reservation recommended the creation of the position of medical director. On April 20, 1910, I secured the services of Maj. Gen. R. M. O'Reilly, U. S. Army, retired, who made a personal inspection of the reservation and, as a result thereof, on August 1, 1910, I created such position and appointed thereto Dr. Harry M. Hallock, major, U. S. Army, retired. The results accomplished thus far under his supervision have demonstrated the wisdom of the department in the premises. He has full supervision of sanitation, hygiene, and hydrotherapy; full charge of the government bath house and the employees therein, maintains a clinic for the education of bath-house operators and their attendants, and determines the fitness of all attendants, physically and otherwise, for employment in bath houses, both those operated by lessees and the government bath house.

There are 11 bath houses on the permanent reservation and 14 in the city of Hot Springs, with a total tubbage of 592, receiving hot water from the reservation under leases made in pursuance of the act of March 3, 1891 (23 Stat., 842), at a compensation to the Government of \$60 per tub per annum. A new form of lease to be granted under the above act has been adopted, and a policy has been inaugurated, which I shall adhere to during my administration of the affairs of this department, of requiring all applicants for renewal of leases, both on and off the reservation, to construct bath houses of a type and at a cost to be determined by the department, representing the most advanced ideas in regard to sanitarium work, having due regard to such rules and regulations respecting hygiene, sanitation, and the prevention of infectious or contagious diseases as the medical director may require. This, I am convinced, will remove a great deal

of complaint with respect to the reservation, its untidy appearance, and the poor accommodations of the bath houses on and off the reservation and the utter lack of supervision with respect to hygienic and sanitary measures which has heretofore existed.

A free bath house for the accommodation of indigents has been in operation on the reservation since 1878, commencing with an ordinary box house and pools excavated in the natural tufa rock with mud bottoms, which became widely known as the "Mud Hole." It was enlarged from time to time and under the sundry civil act of June 28, 1902 (32 Stat., 456), wherein an appropriation of \$25,000 was made for the remodeling and enlarging the bath house, it was placed in a sanitary condition, and since that time the bathing arrangements have been rearranged and necessary repairs made to the building proper looking to the betterment of its sanitary conditions. The total number of persons bathed during the year was 200,048, an average of approximately 560 persons daily.

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providing for the settlement of the claims to lands in said reservation; the act of March 3, 1870 (19 Stat., 377), providing for a commission to survey and lay out a portion of said reservation in lots, streets, etc., and reserving from sale Hot Springs Mountain, on which the hot or warm springs are located, and authorizing the appointment of a superintendent; the act of December 16, 1878 (20 Stat., 258), providing for bath-house leases and the maintenance of baths for indigent persons; and thereafter the act of June 16, 1880 (21 Stat., 288), creating the reservation as it now exists.

Two thousand one hundred and thirty-five lots were platted by the Hot Springs commissioners, all of which have been disposed of in the manner provided by law, with the exception of 169.

The tracts known as North Mountain, West Mountain, Sugar Loaf Mountain, and Hot Springs Mountain were forever reserved from sale and dedicated to public use as parks by the act of June 16, 1880. They have an area of 911.63 acres, and are known as the "permanent reservation."

The total number of springs on Hot Springs Mountain is 49, with an approximate flow of 1,000,000 gallons daily, the range of temperature being from 97.2° to 147° F. The waters from these springs, which are highly radio-active in character and world famed for their curative properties, are supplied under leases for various periods to bath houses and hotels.

As a result of the foregoing legislation, most of the lands not permanently reserved by the United States became a part of the city of Hot Springs and passed into private ownership.

At the time of the admission of Arkansas as a State, exclusive jurisdiction over the lands set aside for this reservation was not reserved to the United States, and in consequence the state laws obtained thereover and so remain, except as to a portion of Hot Springs Mountain over which the State a short time ago ceded jurisdiction to the United States. In the latter instance the department prescribes regulations governing its management, and the municipality of Hot Springs, which abuts this reservation, enacts laws for the government thereof. This divided jurisdiction, which is highly undesirable, has resulted in much embarrassment in the administration of affairs on the reservation.

In my judgment a satisfactory local administration of affairs at Hot Springs will never be attained until the Federal Government shall, by cession or otherwise, be vested with supervision over the municipal affairs of the city of Hot Springs.

In 1903 regulations were adopted for the government of the reservation which required, among other things, that physicians desiring to prescribe waters from the springs should be registered, and a board of three competent physicians was appointed to pass upon the

qualifications of physicians making application for registration under the rule. Subsequently, in the interest of better administration it was found desirable to increase the membership of the board and make one member thereof a lawyer; and accordingly on April 11, 1910, the old board of medical commissioners was dispensed with and in lieu thereof a federal registration board was created, consisting of four competent physicians, one of whom is the surgeon in charge of the Army and Naval General Hospital at Hot Springs, and the other a lawyer. The terms of office of the members of the board were so fixed that the body as now constituted is a continuing one, each member serving a term of four years.

This board promptly entered upon the discharge of its duties and new rules and regulations were promulgated governing the registration of physicians desiring to prescribe the waters from the Hot Springs Reservation, the rigid enforcement of which has resulted in preventing the registration of a number of physicians.

Several representatives of this department who heretofore had made examinations of the reservation recommended the creation of the position of medical director. On April 20, 1910, I secured the services of Maj. Gen. R. M. O'Reilly, U. S. Army, retired, who made a personal inspection of the reservation and, as a result thereof, on August 1, 1910, I created such position and appointed thereto Dr. Harry M. Hallock, major, U. S. Army, retired. The results accomplished thus far under his supervision have demonstrated the wisdom of the department in the premises. He has full supervision of sanitation, hygiene, and hydrotherapy; full charge of the government bath house and the employees therein, maintains a clinic for the education of bath-house operators and their attendants, and determines the fitness of all attendants, physically and otherwise, for employment in bath houses, both those operated by lessees and the government bath house.

There are 11 bath houses on the permanent reservation and 14 in the city of Hot Springs, with a total tubbage of 592, receiving hot water from the reservation under leases made in pursuance of the act of March 3, 1891 (23 Stat., 842), at a compensation to the Government of \$60 per tub per annum. A new form of lease to be granted under the above act has been adopted, and a policy has been inaugurated, which I shall adhere to during my administration of the affairs of this department, of requiring all applicants for renewal of leases, both on and off the reservation, to construct bath houses of a type and at a cost to be determined by the department, representing the most advanced ideas in regard to sanitarium work, having due regard to such rules and regulations respecting hygiene, sanitation, and the prevention of infectious or contagious diseases as the medical director may require. This, I am convinced, will remove a great deal

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There is a lack of proper facilities for passenger travel between Hawaii and the mainland, due in part to the fact that the through steamers making Honolulu a port of call are generally in foreign ownership and can not under the navigation laws transport passengers between the Territory and the mainland. Relief should be accorded through the suspension of the navigation laws for a limited period so far as they relate to such travel, or in some other way which will add to the opportunities for transportation of passengers. Appropriations are needed for continuing the work upon Honolulu, Hilo, and Kahului harbors, for beginning work on some harbor on the island of Kauai, and for the public buildings heretofore authorized at Honolulu and Hilo.

The Territory consists of eight principal islands having an aggregate area of 6,640 square miles. Besides the general ten years' census there were made during the last fiscal year the five-year labor investigation required by law, and at the same time and under the same direction a military census of the Territory and a social census of the city of Honolulu. The results of these are not yet available, except the figures for the entire population by races founded upon a preliminary count, which is subject to correction. The population of the Territory thus found is 191,905, an increase of 16,905 over the prévious year. The population by races is as follows: Hawaiians, 26,108; part Hawaiians, 11,912; Chinese, 21,666; Japanese, 79,520; Portuguese, 22,701; Spaniards, 2,031; Porto Ricans, 4,896; blacks and mulattoes, 625; Caucasians, 14,409; and all others consist largely of Koreans and Filipinos, 8,037. The population of Honolulu is estimated to be about 50,000. During the last fiscal year settlers and tourists from the mainland have come in in increased numbers, and 1.790 Russians and 868 Portuguese immigrants were introduced by the bureau of immigration, and 2,651 Filipinos by the sugar planters.

Imports and exports for the year aggregated \$75,624,659, ar crease of \$9,687,175 over the preceding year. The imports were: 138,247, an increase of \$3,713,267, and the exports \$46,486,412 increase of \$5,964.908. The imports and exports for the first of the territorial government were \$30,880,478, the inward ton for the year was 1,308,801 tons, an increase of 149,683 tons, an outgoing tonnage was nearly as much. The custom receipts w go into the federal treasury were \$1,575,319.15, an increase \$178,939.25. The federal internal revenue receipts were \$209,18 an increase of \$130,024.52, of which \$124,201.18 was the corpor tax. The assessed value of the property was \$150,268,467, an inc of \$11,357,647 for the year. At the close of the year bank department of \$13,324,305.54, an increase of \$3,666,486.33.

Current receipts for the year were \$3,641,245.35, an increa \$589,718.54 over the previous year. Disbursements, including ments to counties, were \$3,264,364.20, an increase of \$329,380.10. receipts exceeded the disbursements by \$260,338.04. The net balance at the close of the year after deducting all outstanding rants was \$698,970.96. Bonds bearing 4 per cent interest were to the amount of \$80,000, and public improvement 3½ per cent were issued to the amount of \$200,000. The bonded indebtednethe Territory at the close of the fiscal year was \$4,079,000, wh 2.71 per cent of the aggregate assessed value of the property of Territory.

#### GUAM AND SAMOA.

The naval officers who act as governors of Guam and Samo spectively, have submitted their reports to the Secretary of the as required by law.

#### GENERAL EDUCATION BOARD.

This corporation, which was created by the act of Congres proved January 12, 1903, section 6 of which requires the corpor to annually file with the Secretary of the Interior a report, in wr stating in detail the property, real and personal, held by the poration, and the expenditure or other use or disposition of the or the income thereof during the preceding year, has for its of the promotion of education within the United States. The cortion owns no real estate, its property consisting of securities money divided into various funds, according to the purpose form it is to be used.

On June 30, 1910, the capital amounted to \$39,905,550, invest follows: Bonds, \$28,937,500; stocks, \$10,968,050.

The moneys received under the general-income account durin year amounted to \$4,399,680.97, of which \$2,642,444.34 repres

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REPORT OF THE SECRETARY OF THE INTERIOR.

balance from previous year. The disbursements, consisting of gifts to a large number of educational institutions, amounted to \$772,-736.65, the sum of \$2,708,577.54 was invested in securities, administrative expenses amounted to \$23,425.90, and the cash on hand at the close of the year was \$894,683.16.

There is a special fund, known as the Anna T. Jeans fund, for negro rural schools, amounting to \$200,000. The income during the year, including a balance of \$1,198.15 from the preceding year. amounted to \$10,092.35; \$5,587.65 was distributed to various beneficiaries, leaving a balance at the end of the year of \$4.504.70.

#### HOWARD UNIVERSITY.

Howard University was incorporated by the act of March 2, 1867 (14 Stat., 338). The purpose of the incorporation named in the first section of the act was "for the education of youth in the liberal arts and sciences." The incorporators were declared to be "a body politic and corporate, with perpetual succession," etc. Control was vested in a board of 17 trustees.

The incorporators and their successors were authorized to take for the university, property of any character "by gift, devise, grant, donation, bargain, sale, conveyance, assurance, or sale;" also to transfer or lease any of the property of the university and to place at interest, in such manner as the majority of the incorporators or their successors should decide, any money belonging to the university. and with the general powers usually conferred on corporations, with reference to the right to sue and be sued in any courts, in actions of any character. Congress reserved the right to alter, amend, or repeal the act of incorporation.

The enrollment for the past year was 1,252. The scope of influence of the institution may be judged from the fact that these students came from 35 States and 12 foreign countries; from Porto Rico, 8; Africa, 4; British West Indies, 85; Cuba, 7; Republic of Panama, 3; South America, 3; Liberia, 2; British Guiana, 5; and from Dutch Guiana, India, and San Domingo, 1 each.

The past year has been one of unusual expansion and growth. The Carnegie Library was dedicated in April last; the new Science Hall has been built and equipped, at a cost of \$90,000; a new central vacuum heating system, electric light and power plant, is now being installed, and work on the new Hall of Manual Arts will begin at an early date.

The School of Theology receives no aid from Congress, but is supported through endowments and special gifts. It requires no doctrinal tests, is interdenominational, and is open for all who are pre-Paring for greater efficiency in moral and religious work.

I NEW YORK UNIVERSITY



Although the university was established in 1867, Congress made appropriation for its support until March 3, 1879, when \$10,000 was appropriated "for maintenance."

From 1879 to June 30, 1910, Congress has appropriated in the agregate for this institution \$1,217,700, divided as follows: For main tenance, etc., \$837,300; for scientific building and equipment, \$90,000 for addition to the manual-training building, \$23,000; and for tools books, improvement of grounds and buildings, equipment of different departments, chemical apparatus, fuel and light, etc., \$267,400.

The only buildings which have been erected from an appropriation made by Congress are the scientific building and the addition to the manual-training building, but for many years separate appropriations were made for the repairs of buildings and for the improvement of grounds. In recent years the two items have been combined.

A report of the treasurer of the university, made to this department on May 28, 1910, shows that the total value of all the property belonging to the university was \$1,606,348.05 on April 30, 1910, of which \$384,980.10 was endowments. The difference between the total amount appropriated by Congress and the total value of all the property of the university on April 30 last is \$388,648.05, and the difference between this amount and the total endowment, \$384,980.10, is but \$3,667.95; consequently the plant as it now stands is only worth \$3,667.95 above the aggregate of the endowment and the amount appropriated by Congress.

Under existing law this department has no representative on the board of trustees, although it has for several years given administrative examination to the accounts of the special disbursing officer handling the appropriations made by Congress for the institution, nor has the Government any title to the buildings erected or improvements made to buildings from congressional appropriations.

It is respectfully recommended that the act of incorporation of March 2, 1867, be so amended as to give the Government a proper representation on the board of trustees, that appropriations made by Congress shall be expended under the supervision and direction of the Secretary of the Interior, and that the institution be required to secure to the United States, in such manner as Congress may deem appropriate, under all the circumstances, the title to the lands upon which buildings have heretofore or may hereafter be erected from funds provided by the Government.

#### FREEDMEN'S HOSPITAL.

There were 2,869 indoor patients treated in this institution during the year, an increase of 148 over the preceding year. One thousand nine hundred and thirty-one cases were received from the District of Columbia and 561 from various States. Two thousand seven hundred



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and fifteen were discharged, of whom 1,128 recovered, 1,109 improved, 236 were unimproved, 8 were not treated, and 237 died. The number of patients remaining in the hospital at the close of the year was 154. Of the deaths reported, 56 were beyond medical and surgical aid when received. The surgical work has been very heavy during the past year, involving 1,482 operations. In the out-patient department, 3,726 were treated, an increase of 368 over last year.

The account with the Board of Charities of the District of Columbia shows an unpaid balance of \$61,866.35, which amount would be sufficient to provide a building in which to properly house the hospital nurses and provide other accommodations urgently needed by the hospital. It is hoped that the Commissioners of the District may see their way clear to include in future estimates to Congress a sum sufficient to cover the contract price for the care of all patients who have been admitted to the hospital as residents of the District of Columbia. The bill rendered during the past year for the care and treatment of this class of patients amounted to \$41,640.85, or \$16,140.86 more than the appropriation received for this purpose.

Experience having demonstrated that the heating plant at the hospital was not of sufficient capacity to adequately provide for the needs thereof as well as the Howard University, it was deemed best to increase the efficiency of the plant by the use of the vacuum system on steam-heating lines and thereby produce better results and reduce the cost of maintenance. The electric current supplied by a private corporation to the hospital was unsatisfactory in price as well as in service, and in the interest of economy it was believed that the necessary machinery should be provided and installed so that the electric current needed could be generated on the hospital grounds, thereby securing good service and reducing the cost to a minimum. An estimate was accordingly submitted to Congress in the sum of \$80,000 for the remodeling of the central heating plant of the Howard University and Freedmen's Hospital and the installation of electrical generating machinery for power and light at those institutions. An appropriation in that amount was made in the sundry civil act approved June 5, 1910, plans and specifications for the various parts of the plant were prepared, contracts were let, and the work is now well under Way.

## DISTRICT OF COLUMBIA CORPORATIONS.

The act of May 17, 1862 (12 Stat., 389), required the Washington and Georgetown Railroad Company (Capital Traction Company, successor) to "lay upon the lines of its road rails of the most approved lattern, to be determined by the Secretary of the Interior."

The act of Congress approved May 24, 1870 (16 Stat., 136), incorrating the Columbia Railway Company, provided for the sub-

mission of yearly reports to Congress or the Secretary of the In The property and franchise of this road have been transfer. Washington Railway and Electric Company, report by which mitted directly to Congress.

The act of Congress approved June 23, 1874 (18 Stat., 277), quired the Washington Gas-Light Company to annually furnish Secretary of the Interior with a statement of all its coal contracts purchases for the ensuing year, excepting the Ritchie mineral and Richmond coal. The act of March 3, 1903 (32 Stat., 959), provi for the appointment of an inspector of gas and meters by the Comp sioners of the District of Columbia. The Washington Gas-Liq Company has no connection whatever with this department other t to render the report hereinbefore specified.

In my last annual report it was recommended that so much of t several acts as imposed duties on the Secretary of the Interior pealed or so modified as to impose the duties prescribed by the upon the Commissioners of the District of Columbia and to provi that the reports required be made directly to Congress.

Subsequently the question as to the necessity for such less was submitted to the Attorney-General, who, under date of recast 23, 1910, held that under existing laws the Secretary of the In was relieved from the duties above enumerated in connection such corporations.

# THE SUPERINTENDENT OF THE UNITED STATES CAPITO BUILDING AND GROUNDS.

The work carried on by the superintendent in connection wi improvements at the Capitol and the completion of the Senate House Office buildings has been very satisfactory.

Two new passenger elevators have been installed in the Se wing, and marble floors have been laid in the Senate lobbies and restaurant. Changes and improvements, consisting of remodeling wall between the private rooms of the Senators and the installation of new counters, furniture, and ice box and dumb-waiter, have be made in the Senate restaurant. New cables have been put on elevators, and the plumbing throughout the building repaired a several lavatories installed. The work has been continued on tapproaches and basement rooms of the Senate and House Office buildings, and the construction of the heating, lighting, and power has so far progressed as to warrant a trial test in lighting the (tol, Congressional Library, Senate and House Office buildings at a early date.

Improvements and repairs have been carried on at t
Court of Claims building, and the engine house of t
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The enrollment for the past year was 1,252. The scope of influence of the institution may be judged from the fact that these students came from 35 States and 12 foreign countries; from Porto Rico, 8; Africa, 4; British West Indies, 86; Cuba, 7; Republic of Panama, 3; South America, 3; Liberia, 2; British Guiana, 5; and from Dutch Guiana, India, and San Domingo, 1 each.

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In my last annual report it was recommended that so much of the several acts as imposed duties on the Secretary of the Interior be repealed or so modified as to impose the duties prescribed by the acts upon the Commissioners of the District of Columbia and to provide that the reports required be made directly to Congress.

Subsequently the question as to the necessity for such legislation was submitted to the Attorney-General, who, under date of February 23, 1910, held that under existing laws the Secretary of the Interior was relieved from the duties above enumerated in connection with; such corporations.

# THE SUPERINTENDENT OF THE UNITED STATES CAPITOL BUILDING AND GROUNDS.

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Two new passenger elevators have been installed in the Senate-wing, and marble floors have been laid in the Senate lobbies and the restaurant. Changes and improvements, consisting of remodeling the wall between the private rooms of the Senators and the installation of new counters, furniture, and ice box and dumb-waiter, have been made in the Senate restaurant. New cables have been put on 14 elevators, and the plumbing throughout the building repaired and several lavatories installed. The work has been continued on the approaches and basement rooms of the Senate and House Office buildings, and the construction of the heating, lighting, and power plant has so far progressed as to warrant a trial test in lighting the Capitol, Congressional Library, Senate and House Office buildings at an early date.

Improvements and repairs have been carried on at the court-house, Court of Claims building, and the engine house of the Senate and House stables.

The new court of appeals building on Judiciary Square has been completed, and was occupied for the first time at the October term of court, at an expenditure of \$211,500.

The following amounts have been expended during the fiscal year ended June 30, 1910:

Repairs to the Capitol building	\$47, 041. 05
Additional elevators in the Senate wing	26, 000. 00
Senate kitchen and restaurant	5, 000. 00
Lighting Capitol grounds, etc.	104, 500. 00
Capitol grounds	27, 500.00
Engine house of the Senate and House stables	
Court-house	5, 168. 80
Court of Claims building	

#### GOVERNMENT HOSPITAL FOR THE INSANE.

On June 30, 1910, there remained in the hospital 2,916 patients, as against 2,852 remaining on June 30, 1909, an increase of 64 over the previous year. During the year there were admitted 650 patients, an increase of 41 over the year 1909. The number of admissions added to the number remaining on June 30, 1909, makes a total of 3,502 patients under treatment during the last fiscal year, being an increase of 76 over the previous year. Of the total number of patients admitted, 159 were from civil life, 244 from the army and navy, and 8 from the Public Health and Marine-Hospital Service.

It is ten years since Congress appropriated any money for the erection of buildings for the housing of patients and employees. Since the last appropriation for this purpose was made, there has been an increase in the patient population of the hospital of over 800, which necessarily means a corresponding increase in the employee population, and yet during this period there has been practically no provision made for taking care of the increase. At the time of the last appropriation for the erection of additional buildings the institution was in an overcrowded condition, and the 1,000 beds provided by that extension have long since been occupied. In this connection, at the last session of Congress I submitted an estimate of appropriation in the sum of \$12,500 for the expenses of a commission to examine into the laws relating to the commitment of insane to the government hospital and to ascertain whether additional accommodations are required at that institution, which recommendation has been renewed in the estimates for the year 1912. It is believed that a revision of the laws relating to the commitment of the insane to the government hospital could very properly reduce the number of patients received, and would materially lessen the congestion and necessity for additional structures.

The land for the use of the hospital is not sufficient for its present needs, and considering the rapid increase in patients it is evident that

more land must be acquired within the near future, and the superintendent estimates that at least 100 acres are needed.

An addition to the new power, heating, and lighting plant has been completed; four 300-horsepower boilers have been installed, which are now in working order.

Sixteen nurses, 13 women and 3 men, graduated from the training school during the year; 30 undergraduates, 20 women and 10 men, successfully passed the examination. The junior class of the last fiscal year is the largest in the history of the hospital, and the course of instruction has been extended to include additional practical work.

#### COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

An advanced course of instruction was put into effect, beginning in the latter part of 1909, since which time a number of state institutions for the deaf advanced their standards to correspond thereto.

On presentation day, May 4, 1910, there were presented 1 candidate for the degree of bachelor of letters, 2 for the degree of bachelor of science, 10 for the degree of bachelor of arts, 4 for the degree of master of arts, and 1 for a certificate.

The receipts for the maintenance of the institution for the year were \$81,730.87, and the expenditures were \$81,324.10, leaving a balance of \$406.77. Five thousand dollars was received and expended for special repairs.

A part of the men's dormitory was destroyed by fire. Repairs are being made from an appropriation of \$25,000, granted in the general deficiency bill.

It is respectfully recommended that it would be more appropriate to have the supervision of this institution transferred to the District of Columbia.

#### MARYLAND SCHOOL FOR THE BLIND.

Section 2 of the act of Congress approved May 29, 1858 (11 Stat., 294), authorizes the Secretary of the Interior to place for instruction in an institution for the blind, in the State of Maryland or some other State, the indigent blind children of teachable age who are children of persons actually engaged in the military and naval service of the United States, and under section 4869, Revised Statutes of the United States, the blind children of teachable age belonging to the District of Columbia.

The act of May 26, 1908 (35 Stat., 295), making appropriations for the District of Columbia, provided that after July 1, 1908, a contract should be entered into by the Commissioners of the District of Columbia for the instruction, in Maryland or some other State, of indigent blind children of the District, appropriated \$6,000 for the

purpose, and repealed the permanent indefinite appropriation under section 3689 of the Revised Statutes. Inasmuch as the Secretary of the Interior, by section 2 of the act of May 29, 1858 (11 Stat., 293), was also charged with providing for the instruction of the blind children of all persons in the military and naval service of the United States while such persons are actually in such service, the expense to be defrayed from the permanent indefinite appropriation above referred to, the question was submitted to the Comptroller of the Treasury as to whether that appropriation was repealed so far as to be no longer available for the instruction of this class of beneficiaries. opinion rendered October 27, 1908, the Comptroller of the Treasury held that the act of May 26, 1908, supra, only repealed the provisions of section 3489 of the Revised Statutes to the extent that said section provides for the education of the blind children of the District of Columbia, and that the permanent indefinite appropriation in question is still available for instructing the blind children of all persons in the military and naval service of the United States, in some institution in Maryland or some other State, and that the Secretary of the Interior is authorized to continue to issue permits for the instruction of such children.

No permits for this class of beneficiaries were issued during the past year.

It is respectfully recommended that it would be more appropriate to have the supervision of this institution transferred to the District of Columbia.

I respectfully refer to the annual reports of the chiefs of the various bureaus and other officers of this department for detailed information.

Very respectfully,

RICHARD A. BALLINGER,

Secretary.

The PRESIDENT.

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## APPENDIX A.

Rent of buildings, Interior Department, fiscal years, 1906–1910.

## 1906.

Building northwest corner Eighth and E NW., Civil Service		
Commission		
Building northeast corner Eighth and G NW., Bureau of Educa-		
tion Building 1328 F street NW., and annexes, Geological Survey	•	
Union Building, 3 floors, G street between Sixth and Seventh NW., Patent Office models		
Union Building, south half basement, storage of documents		
Citizen's National Bank Building, Fifteenth street NW., United		
States pension agency	2, 500	<b>9</b> 84 704
1907.		<b>\$64, 7</b> 0(
Building northwest corner Eighth and E NW., Civil Service		
Commission	4, 500	
Building northeast corner Eighth and G NW., Bureau of Educa-	1,000	
tion	4,000	
Building 1328 F street NW., and annexes, Geological Survey	<b>34</b> , 900	·
Union Building, 3 floors, G street between Sixth and Seventh		
NW., Patent Office models	10,000	
Union Building, south half basement, storage of documents	800	
Munsey Building, E street NW., 24 rooms, Reclamation Serv-	- 000	
Ouray Building, northwest corner Eighth and G NW., 11 rooms,	5, 000	
Land Office	3 240	
		62, 44(
1908.		0_,
Building northwest corner Eighth and E NW., Civil Service		
Commission	4, 500	
Building northeast corner Eighth and G NW., Bureau of Educa-	4 000	
tionBuilding 1328 F street NW., and annexes, Geological Survey	4,000	
Union Building, south half basement, storage of documents	800	
Ouray Building, northwest corner Eighth and G NW., 11 rooms.	000	
Land Office	3, 240	
Building northwest corner Twelfth and G streets NW., Recla-	,	
mation Service	8, 000	
Union Building, 3 floors, G street between Sixth and Seventh		
NW., Patent Office models	19, 500	74 046
		74, 940

#### 1909.

Building northwest corner Eighth and E NW., Civil Service Commission	4, 500	
Building northeast corner Eighth and G NW., Bureau of Educa-	2, 000	
tion	4,000	
Building 1328 F street NW., and annexes, Geological Survey	•	
Union Building, 3 floors, 5 months, Patent Office models	-	
Union Building, south half basement, storage of documents	800	
Building northwest corner Twelfth and G streets, Reclamation		
Service	8,000	
4040		60, 325
1910.		
Building northwest corner Eighth and E NW., Civil Service		
Commission	4, 500	
Lincoln Hall (part of) Ninth and D NW., Civil Service Commis-	•	
sion	2,000	
Building 1328 F street NW., and annexes, Geological Survey	34, 400	•
Building northwest corner Twelfth and G NW., Reclamation		
Service	8,000	
Union Building, south half basement, 9 months, storage of docu-		
ments	1,000	
United States Storage Company, Tenth street, NW., Patent Of-		
fice models	3, 000	
Rooms Munsey Building, Geological Survey	3, 000	EK 000
		55, 900
Grand total		318, 305

#### APPENDIX B.

Total appropriations made for the Department of the Interior, bureaus and offices, regular and deficiency, fiscal years 1906–1910.

Titles.	Regular	Deficiency.	Total.
1906.			
Salaries and expenses. Salaries and contingent, public land service. Indian affairs. Pensions. Public works. Miscellaneous.	8, 129, 312, 45 138, 250, 100, 00 2, 405, 350, 00 3, 591, 163, 15	\$15,578.93 519.95 5,472,944.85 3,500,606.15	\$5, 165, 752, 93 173, 884, 95 13, 602, 257, 30 141, 750, 706, 15 2, 405, 350, 00 3, 780, 607, 93
	157, 699, 464. 60	9, 179, 094. 66	166, 878, 559. 26
1907.			
Salaries and expenses. Salaries and contingent, public land offices. Indian affairs. Pensions Public works. Miscellaneous.	193, 575. 00 9, 405, 199. 98 140, 245, 500. 00	16, 300. 00 159, 167. 37 1,000,063. 00 2,700. 00 64, 229. 99	5, 153, 959. 00 193, 575. 00 9, 564, 367. 35 141, 245, 563. 00 1, 667, 527. 00 3, 677, 707. 49
	160, 262, 911. 48	1,239,787.36	161, 502, 698. 84
1908.			
Salaries and expenses. Salaries and contingent, public land offices. Indian affairs. Pensions. Public works. Miscellaneous.	5,065,074.00 188,705.00 10,305,216.63 146,143,000.00 3,625,965.00 4,751,038.00	10. 69 9. 26 1, 316, 922. 89 10,000, 298. 58 26, 675. 08 315, 247. 97	5,065,084.69 188,714.26 11,622,139.52 156,143,298.58 3,652,640.08 5,066,285.97
	170,078,998.63	11, 659, 164. 47	181, 738, 163. 10

#### Total appropriations made for the Department of the Interior, etc.—Continued.

• Titles.	Regular.	Deficiency.	Total.
1909.			
Salaries and expenses. Salaries and contingent, public land offices	192,025.00 10,070,782.76 163,053,000.00	\$471.56 107,759.20 173.00 258,944.45 217,310.84	\$4,899,001.56 192,025.00 10,178,541.96 163,053,173.00 2,358,336.61 4,587,161.84
1010	184,683,580.92	584,659.05	185, <b>26</b> 8, 239. 97
1910.  Salaries and expenses. Salaries and contingent, public land offices	182, 225. 00 11, 868, 159. 20	11,408.16 10.18 868,084.82 24.00 318,892.31 260,820.40	4, 917, 378. 16 182, 235. 18 12, 736, 244. 02 160, 908, 438. 00 833, 192. 31 4, 942, 680. 40
	183,060,928.20	1, 459, 239. 87	184, 520, 168. 07

#### RECAPITULATION.

Appropriated—Regular and deficient	cy: \$166,878,559.26
1907	161,502,698.84
Total	970 007 990 24

#### APPENDIX C.

Table 1.—Receipts and expenditures of the General Land Office, years 1906 . to 1910.

Fiscal year ended June 30—	Receipts.	Expenditures.	Surplus.
1906. 1907. 1908. 1909.	11,553,178.00 12,715,709.46 11,900,249.78	\$1,690,641.20 2,295,004.70 2,381,359.79 2,721,489.99 3,179,363.49	\$5, 894, 882, 70 9, 258, 173, 30 10, 334, 349, 67 9, 178, 759, 79 8, 284, 560, 57

TABLE 2.—Receipts and expenditures of the Patent Office, fiscal years 1906-1910.

Year.	Receipts.	Expenditures.	Surplus.
1906 1907 1908 1909	\$1,811,297.84 1,859,592.89 1,874,180.75 1,975,919.97 2,022,043.26	\$1,538,149.40 1,584,489.70 1,608,292.01 1,887,443.35 1,953,549.76	\$273, 148. 44 275, 103. 19 265, 888. 74 68, 486. 62 68, 493. 50

#### APPENDIX D.

Number of employees and distribution as to employment November 1, 1910, by bureaus, offices, hospitals, reservations, etc.

Place of employment.	Total.	Office of Secretary.	Office of Assistant At- torney-General.	General Land Office.	Office of Indian Af-	Patent Office.	Pension Office.	Bureau of Education.	Geological Survey.	Reclamation Service.	Bureau of Mines.	Hospitals.	Parks and reserva-	Territorial and Dis- trict of Columbia.	Office of Superintend- ent of Capitol.
Total	14, 262	307	23	1, 487	5,705	934	1,579	178	1,063	1,745	198	909	86	26	22
Alabama	5	1		3	352	20	1		141647		1				100
Alaska	144	1000		24	1	555		119				2.77	14.0	1	1000
Arizona	845		2000	34	543			1550		258			3232	10	1
Arkansas	65	1000		23	9.00	1000	2	1200			131	15550	40		
California	436	100		74	304		21	1000		21	2020		16		1
Colorado	263			104	55		2			21 97	1300		5		
Colorado	1	1555	1000			1000	1				133	10000		1	
Delaware	1	1					1								
District of Columbia	4,580	299	23	536	215	934	1,133	55	324	72	52	909		6	22
Florida	18			17			1								
Georgia	1						1					1			
Hawaii	2					2000					200	1		2	
Idaho	454	1100		67	134	2531		0331		253	2010	1222	1300		050
Illinois	75		1		21	13.50	33	10000	3555	18	3	1000	1111	155	1000
Indiana	26						25	1000	022125		1		7100		
lowa	43	100		11.13	21		25 22						1500	11.	100
Kansas	139	126	0.00	7	96	7.00	36	1000	531125	10.00	7.7	122	1535	1000	1200
Kentucky	16		2200	bottom			16		00000	CLICA		1	7200	1000	
Louisiana	9		1111	7		1000	2						7700		
Maine	11		1	12.00		****	11								
Maryland	1	1000		*****		7737	î			55.00	****			1075	
Massachusetts	25		7.5.5	*****	*****		25	****							****
Michigan	68			3	40		24				1				
Minnesota	302			45	256		i	****							
Mississippi	7		****	4	200	****	3	****			***				****
Missouri	15		****	3	7		5	****	*****				****		
Montana	684			102	391	1000			*****	190	****		1		
Nobroaks	266	++++		. 26	82		i	****		157			1		
Nebraska Nevada	173		****	25	117	++++	-	****	20.02.2	31		****	20.75	****	
	9			20	117	****	9	****	*****	91				****	****
New Hampshire					****		2							****	
New Jersey	536			60	495	****	4		*****	33	1			***	****
New York		****	40.00	00	435	****	53	++++	*****	99	2	****			****
North Carolina	67				12 26		1	****		*****	A	****			
North Dalesta	382			27	303		1	2224		51	1	****	100,		
North Dakota				21	303		38		*****	91		****		****	
Ohlo	42 978			19	952	****	30	****	*****	*****	4		5		****
Oklahoma			7		202		1	4444	******	57			2	****	
Oregon	332			70	72				*****	37	100		2		
Pennsylvania	242			*****	12		50	****		*****	120	***		****	****
South Carolina	1	2.747	****		2007	4.000	1	40.00	*****			****	****	20.00	
South Dakota	781		4.6.0	46	691			****	44554	41			2	****	
Tennessee	29		****				25		*****		3				
Texas	100			2 46	000	****	2	****		50		****	****	50.00	
Utah	190	9.67		40	93			****	*****	00	4454			****	****
Vermont	1		2227	*****	*****		1	****	*****	*****			****	****	****
Virginia	2	9.50			000		1			oer	1		****		
Washington	593	***		42	272		2	4		265	2		6		
West Virginia	1	777	170.		*****	43.00	1		*****						
Wisconsin	237		9999	3	215	1911	19			*****					
W yoming	221			67	86		20.00			59 92	5		9	+ +144	
General field service	909	8			64				739						

Comparison with a year ago (1909), exclusive of examining surgeons and specialists for pensions (4,647 in 1909, and 4,668 in 1910—increase of 21): Grand total in 1910, 14,262—7 less; in Washington, 4,580—23 less; outside, 9,682—16 more. The 4,668 examining surgeons and specialists for pensions who are not salaried employees but compensated by fees are not included in the foregoing table.

#### APPENDIX E.

Table 1.—Comparative statement of area entered, entries made, patents issued. etc., General Land Office, fiscal years 1906–1910.

Principal classes of entries.	1906.	1907.	1908.	1909.	1910.
Townsetes day					
Homesteads: Declaratory statements	1,266	1,158	615	714	1,521
		93,957	87.057	75, 445	98, 598
OriginalFinal		27, 202	29,636	25, 510	25, 412
		13,343	23,059	21, 257	17, 092
Commuted Desert land:	. 9,100	. 10,040	20,000	21,201	17,092
	4 005	0.000	8,965	10, 323	15,620
Original		6,922		1,729	
Final	1,242	1,753	2,242	1,729	2,041
Mineral:	1 040	1 700	1 407	1 410	1 175
Applications	1,642	1,509	1,497	1,416	1, 17
Entries	1,508	1,374	1,428	1,468	1, 114
Coal:			4 000		001
Declaratory statements	2,340	1,340	1,276	866	823
_ Entries		187	303	213	248
Fimber and stone entries		11,092	11,719	6,007	1,142
Public sales (isolated tracts)	909	1,368	1,397	3,501	3,016
Total	154,084	161, 205	169, 194	148, 449	167,804
Total area entered acres	10 431 187	20, 997, 566	19,090,356	19,892,503	26, 392, 026
Number of patents issued	61,361	45, 978	90.522	69, 919	72,08
Letters received		262,693	300, 532	350, 530	420, 460

Table 2.—Comparative statement of work in the Patent Office, 1906-1910.

# DEEDS RECEIVED FOR RECORD AMONG THE TRANSFERS OF PATENTS, NUMBER OF WORDS RECORDED, AND FEES RECEIVED THEREFOR.

Year.	Deeds	Words	Fees
	received.	recorded.	received.
1906. 1907. 1908. 1909.	26, 434 25, 956 26, 192 28, 258 29, 708	11,052,325 10,570,150 11,368,550 11,504,800 12,690,800	\$42,344.60 41,337.09 41,739.80 45,098.68 47,963.42

#### PRINTED COPIES OF PATENTS SOLD AND FEES RECEIVED THEREFOR.

Year.	Copies sold.	Amount received.
1906. 1907. 1908. 1909.	1,983,092 2,117,847 2,164,670 2,105,879 2,257,444	\$79, 487. 76 86, 433. 88 89, 453. 31 97, 765. 15 104, 683. 40

TABLE 2.—Comparative statement of work in the Patent Office, 1906-1910—Cont'd. COPIES OF RECORDS FURNISHED AND FEES RECEIVED THEREFOR.

Year.	Number of words.	Amount received.
1906. 1907. 1908. 1909.	28, 151, 600	\$21, 134, 70 24, 888, 20 21, 959, 10 25, 549, 20 28, 151, 60

# APPLICATIONS FOR LETTERS PATENT AND APPEALS FILED, AND PATENTS GRANTED.

Year.	Applica- tions.	Appeals on the merits.	Patents granted.
1906. 1907. 1908. 1909.	56,514 58,527 62,800	1,413 1,410 1,250 1,345 1,609	31, 070 33, 644 34, 003 34, 332 36, 287

Table 3.—Comparative statement of work in Office of Indian Affairs, showing increase and decrease, fiscal years 1906-1910.

Class of work.	1906.	1907.	1908.	1909.	1910.
Schools in operation.	318	341	343	363	385
Hospitals in use	41	44	48	51	58
Plans and specifications prepared	41	42	38	68	79
Authorities for expenditures.	7,144	7,885	8,362	10,284	9,156
Contracts and building leases	727	777	626	532	650
School and agency employees, exclusive of Five Civi-		•••			•
lized Tribes.	(a)	4,551	4,574	4,746	4,902
Tribal enrollments, annuity and other individual	(-)	2,002	2,0.2	-,,,,	2,00-
Indian payments	491	560	3,469	7,247	10,661
Allotments approved	7,094	10,643	6, 290	8,000	10,992
Trust patents issued	3,067	3, 469	10.461	7,533	5, 518
Applications for patents in fee b	(a)	889	1,855	1,934	1,368
Applications for removal of restrictions.	3,064	5,302	2,045	2,187	1,840
Tracts of land sold (inherited and noncompetent)	643	820	860	988	1,393
Leases of lands	9,030	13, 179	10,736	6,773	8,775
Bonds covering Indian money deposits	98	61	79	258	449
Accounts, cash and property	1,350	1.377	1,518	1,675	1,778
Claims	8,910	9,606	9,323	9,026	9, 499
Mail received, pieces.		116,958	143,702	184,968	c 182, 228
Mail dispatched, pieces.		(a)	(a)	177,724	
man disputched, processions	(-)				- 2.0,000
Total	155,866	176, 504	204, 329	424, 357	429, 531

α No statistics available.
 b Prior to fiscal year 1907 patents in fee were issued under specific acts of Congress for each case.
 c Estimate for entire year based on statistics for ten months to November 1, 1910.

#### APPENDIX F.

Table 1.—Land certified or patented under acts of Congress, to States and corporations for railroad and military wagon-road purposes from the year 1850 to June 30, 1910.

STATE GRANTS.	Acres.
Illinois Central	
tumois Central	2,000,100.40
Mississippi:	
Mobile and Ohio River	. <b>4737, 130. 2</b> 9
Vicksburg and Meridian	199, 101. 51
Gulf and Ship Island	139, 113. 22
	1, 075, 345. 02
Alabama:	
Mobile and Ohio River	a 419, 528. 44
Alabama and Florida	399, 022. 84
Selma, Rome and Dalton	458, 555. 82
Coosa and Tennessee	,
Mobile and Girard	b 302, 181. 16
Alabama and Chattanooga	653, 888. 76
South and North Alabama	445, 438. 43
	2, 746, 400. 41
Florida :	
Florida Central and Peninsular	721, 693, 71
Florida and Alabama	166, 691, 08
Pensacola and Georgia	
Florida, Atlantic and Gulf Central	29, 384. 18
	2, 198, 005. 67
Louisiana:	
Vicksburg, Shreveport and Pacific	463, 746, 78
New Orleans, Opelousus and Great Western	
Arkansas:	
St. Louis, Iron Mountain and Southern	
Little Rock and Fort Smith	
Memphis and Little Rock	184, 657. 33
	2. 562, 015. 30

<sup>&</sup>lt;sup>c</sup> In the adjustment of this grant the road was treated as an entirety and without reference to the state line; hence Alabama has had approved to her more and Mississippi less than they would appear to be entitled to in proportion to the length of the road in the respective States.

This grant was adjusted April 24, 1893, and 302,181.16 acres were allotted to the company. The balance of the previously certified lands were ordered restored to entry under the forfeiture act of September 29, 1890.

<sup>&</sup>lt;sup>c</sup> Certified lands, footing 719,189.79 acres, were reconveyed to the United States by the governor of Louisiana February 24, 1888, the grant having been forwarded by the act of July 14, 1870 (16 Stat., 277).

St. Louis, Iron Mountain and Southern.   65	284. 51 , 323. 35 , 120. 31
St. Louis, Iron Mountain and Southern.   65	•
1,887   Iowa :	, 120. 31
Burlington and Missouri River	
Burlington and Missouri River	798 17
Burlington and Missouri River	, 120. 11
Chicago, Rock Island and Pacific       a 483         161       161         Cedar Rapids and Missouri River       a 922         244       244         Dubuque and Sioux City       a 556         Iowa Falls and Sioux City       683         Des Moines Valley       840         Chicago, Milwaukee and St. Paul       326,         McGregor and Missouri River       326,         Sioux City and St. Paul       322         Michigan:       37         Jackson, Lansing and Saginaw       743,         Grand Rapids and Indiana       252         Flint and Pere Marquette       512         Marquette, Houghton and Ontonagon       b 305,         Ontonagon and Brule River       34,         Bay de Noquet and Marquette       128         Chicago and Northwestern       518	
Cedar Rapids and Missouri River	, 990. 11
Cedar Rapids and Missouri River       a 922         244       244         Dubuque and Sioux City       a 556         Iowa Falls and Sioux City       683         Des Moines Valley       840         Chicago, Milwaukee and St. Paul       326         McGregor and Missouri River       322         Sioux City and St. Paul       322         Michigan:       37         Port Huron and Lake Michigan       37         Jackson, Lansing and Saginaw       743         Grand Rapids and Indiana       552         Flint and Pere Marquette       512         Marquette, Houghton and Ontonagon       b 305         Ontonagon and Brule River       34         Bay de Noquet and Marquette       128         Chicago and Northwestern       518	214. 36
Dubuque and Sioux City	<b>532.</b> 81
Dubuque and Sioux City         a 556           Iowa Falls and Sioux City         683           Des Moines Valley         840           Chicago, Milwaukee and St. Paul         326           McGregor and Missouri River         322           Sioux City and St. Paul         322           Michigan:         37           Port Huron and Lake Michigan         37           Jackson, Lansing and Saginaw         743           Grand Rapids and Indiana         552           Flint and Pere Marquette         512           Marquette, Houghton and Ontonagon         b 305           Ontonagon and Brule River         34           Bay de Noquet and Marquette         128           Chicago and Northwestern         518	, 8 <b>13.</b> 67
Iowa Falls and Sioux City 683 Des Moines Valley 840 Chicago, Milwaukee and St. Paul 326, McGregor and Missouri River 322  Sioux City and St. Paul 322  Michigan: Port Huron and Lake Michigan 37 Jackson, Lansing and Saginaw 743 Grand Rapids and Indiana 552 Flint and Pere Marquette 512 Marquette, Houghton and Ontonagon 5305, Ontonagon and Brule River 34 Bay de Noquet and Marquette 518 Chicago and Northwestern 518	, 022. 96
Des Moines Valley 840 Chicago, Milwaukee and St. Paul 326, McGregor and Missouri River 322  Sioux City and St. Paul 322  Michigan: Port Huron and Lake Michigan 37 Jackson, Lansing and Saginaw 743 Grand Rapids and Indiana 552 Flint and Pere Marquette 512 Marquette, Houghton and Ontonagon 5305, Ontonagon and Brule River 34 Bay de Noquet and Marquette 518 Chicago and Northwestern 518	406. 74
Chicago, Milwaukee and St. Paul 326, McGregor and Missouri River 322  Sioux City and St. Paul 322  Michigan: Port Huron and Lake Michigan 37, Jackson, Lansing and Saginaw 743, Grand Rapids and Indiana 552 Flint and Pere Marquette 512 Marquette, Houghton and Ontonagon 5305, Ontonagon and Brule River 34, Bay de Noquet and Marquette 128 Chicago and Northwestern 518	057. 34
McGregor and Missouri River 326 Sioux City and St. Paul 322  Michigan: Port Huron and Lake Michigan 37 Jackson, Lansing and Saginaw 743 Grand Rapids and Indiana 552 Flint and Pere Marquette 512 Marquette, Houghton and Ontonagon 5305, Ontonagon and Brule River 34 Bay de Noquet and Marquette 128 Chicago and Northwestern 518	, 091. 36
McGregor and Missouri River   322	216. 10
Michigan:       37         Port Huron and Lake Michigan       37         Jackson, Lansing and Saginaw       743         Grand Rapids and Indiana       852         Flint and Pere Marquette       512         Marquette, Houghton and Ontonagon       b 305         Ontonagon and Brule River       34         Bay de Noquet and Marquette       128         Chicago and Northwestern       518	_10.10
Michigan:       37         Port Huron and Lake Michigan       37         Jackson, Lansing and Saginaw       743         Grand Rapids and Indiana       252         Flint and Pere Marquette       512         Marquette, Houghton and Ontonagon       5 305         Ontonagon and Brule River       34         Bay de Noquet and Marquette       128         Chicago and Northwestern       518	, <b>412</b> . 81
Port Huron and Lake Michigan       37         Jackson, Lansing and Saginaw       743         Grand Rapids and Indiana       252         Flint and Pere Marquette       512         Marquette, Houghton and Ontonagon       b 305         Ontonagon and Brule River       34         Bay de Noquet and Marquette       128         Chicago and Northwestern       518	758. 26
Port Huron and Lake Michigan       37         Jackson, Lansing and Saginaw       743         Grand Rapids and Indiana       252         Flint and Pere Marquette       512         Marquette, Houghton and Ontonagon       b 305         Ontonagon and Brule River       34         Bay de Noquet and Marquette       128         Chicago and Northwestern       518	
Jackson, Lansing and Saginaw       743         Grand Rapids and Indiana       252         Flint and Pere Marquette       512         Marquette, Houghton and Ontonagon       b 305         Ontonagon and Brule River       34         Bay de Noquet and Marquette       128         Chicago and Northwestern       518	467. 44
Grand Rapids and Indiana       252         Flint and Pere Marquette       512         Marquette, Houghton and Ontonagon       b 305         Ontonagon and Brule River       34         Bay de Noquet and Marquette       128         Chicago and Northwestern       518	787.58
Flint and Pere Marquette512  Marquette, Houghton and Ontonagon5305, Ontonagon and Brule River34, Bay de Noquet and Marquette128  Chicago and Northwestern518	521. 10
Ontonagon and Brule River 34 Bay de Noquet and Marquette 128 Chicago and Northwestern 518	877. 03
Bay de Noquet and Marquette 128 Chicago and Northwestern 518	929.59
Chicago and Northwestern 518	227. 08
	301.05
3, 133	065. 36
	176. 23
Wisconsin:	
Chicago, St. Paul, Minneapolis and Omaha (formerly West	
·	706. 71
Chicago, St. Paul, Minneapolis and Omaha (formerly St.	<b>159. 6</b> 5
<del>-</del> ,	487. 76
· · · · · · · · · · · · · · · · · · ·	721. 14
	<b>446. 2</b> 0
Wisconsin Central S38	<b>227.6</b> 9
3, 649,	749. 15

<sup>•</sup> Includes 35,685.49 acres of the Chicago, Rock Island and Pacific Railroad, 109,756.85 acres of the Cedar Rapids and Missouri River Railroad, and 77,535.22 acres of the Dubuque and Sioux City Railroad, situated in the old Des Moines River grant of August 8, 1846, which should be deducted from the foregoing amount. (Wolcott v. Des Moines Co., 5 Wall., 631).

<sup>&</sup>lt;sup>9</sup> Excess of 131,481.71 acres originally certified under this grant reconveyed by State or entered under act March 3, 1887, by Michigan Land and Iron Company (Limited), grant having been forfeited in part by act March 2, 1889 (25 Stat., 1008).

Minnesota: St. Paul, Minneapolis and Manitoba (formerly first division,	Acres.
St. Paul and Pacific)  Western Railroad (succeeded by St. Paul and Northern Pacific Railroad Company)  St. Paul, Minneapolis and Manitoba (formerly St. Vincent	• <b>256, 477.</b> 73
extension of the St. Paul and Pacific)	179, <b>734</b> . <b>2</b> 9
Winona and St. Peter	1, 680, 974, 92
St. Paul and Sioux City	1, 126, 578. 55
St. Paul and Duluth	860, 973. 62
Southern Minnesota, from a point on the Mississippi River to Houston	1
Southern Minnesota, extension (now Chicago, Milwaukee and St. Paul)	<b>546, 745. 44</b>
Hastings and Dakota	377, 776. 15
	<del></del>
Minnesota, North Dakota, Montana, Washington:	8, 028, 999. 95
St. Paul, Minneapolis and Manitoba, now Great Northern	
(main and branch), a special act (Aug. 5, 1892, 27 Stat. L.,	
390) to provide for indemnity for lands relinquished by	<b>(3)</b>
the company	(b)
Kansas:  Leavenworth, Lawrence and Galveston	¢249, 446. 13
Missouri, Kansas and Texas	<sup>4</sup> 976, 593. 22
Atchison, Topeka and Santa Fe	
St. Joseph and Denver City	
	4, 633, 760. 73
Grand total of state grants	37, 853, 079. 40
CORPORATION GRANTS.	
Union Pacific	11, 930, 685. 95
Central Pacific	5, 751, 706. 89
Central Pacific (successor by consolidation with Western Pacific)_	458, 147. 97
Central branch, Union Pacific	223, 080. 50
Union Pacific (Kansas division)	6, 175, 660. 63
Union Pacific (successor to the Denver Pacific R. R. Co.)	807, 564. 76
Burlington and Missouri River in Nebraska	2, 374, 090. 77
Sioux City and Pacific (now Missouri Valley Land Co.)	42, 610. 95
Northern Pacific	
Oregon branch of the Central Pacific (California and Oregon)	3, 154, 913. 49
Oregon and California	2, 765, 677. 10 4, 238, 711. 23
Southern Pacific (main line)	3, 478, 136. 44
Southern Pacific (branch line)	1, 315, 707. 13
Oregon Central	128, 618. 13
New Orleans Pacific	
Grand total to corporations	76, 486, 980. 64

<sup>&</sup>lt;sup>a</sup> Declared to be one grant. (See 32 L. D., 21.) <sup>b</sup> See Minnesota for original grants.

c Includes 186,936.72 acres of the "Osage ceded reservation," which are to be deducted from the above amount under the decision of the Supreme Court in the case of the Leavenworth, Lawrence and Galveston Railroad v. The United States (92 U. S., 733).

d Includes 270,970.78 acres in the "Osage ceded reservation," which are to be deducted under the decision cited in note c. p. 89.

WAGON ROADS.	
	Acres.
From Lake Erie to Connecticut Western Reserve	80, 773. 54
From Lake Michigan to Ohio River	170, 580. 24
From Fort Wilkins, Copper Harbor, Mich., to Greenbay, Wis	302, 930. 96
From Fort Wilkins, Copper Harbor, to Wisconsin state line	221, 013. 35
Oregon Central Military Co. (now California and Oregon Land	
Co.)	605, 860. 62
Corvallis and Yaquina Bay	81, 895. 25
Willamette Valley and Cascade Mountain	861, 511. 86
Dalles military road	566, 827. 04
Coos Bay military road	105, 240. 11

Table 2.—Lands confirmed to States and Territories under various grants for educational and other purposes not including lands in place granted for support of common schools.

State or Territory and purpose of grant.	Granted.	Approved and certified.
Alabama:	Acres.	Acres.
Tuskegee Normal and Industrial Institute	<b>25,</b> 000. 00	25, 002. 87
Industrial School for Girls	25,000.00	24, 630. 08
University	<b>46,08</b> 0.00	46, 080. 00
Arizona:	40 000 00	07 010 14
University	<b>4</b> 6, <b>08</b> 0. <b>0</b> 0	37, 210. 14
California:	E00 000 00	E00 000 47
Internal improvements	<b>500,000</b> .00	502, 068. 47
Colorado: Agricultural college	90,000.00	89,924.55
Idaho:	80,000.00	00,022.00
University	46,080.00	45, 518, 23
University, Moscow.	50,000.00	48, 108. 64
Agricultural college	90,000.00	89,949.82
Penitentiary.	50,000.00	49,041.74
Public buildings	32,000.00	31, 988. 80
Insane asylum	50,000.00	49,994.87
Educational, charitable, penal, and reformatory	150,000.00	149, 676. 59
Normal schools	100,000.00	98, 255. 71
Scientific schools	100,000.00	99,972.19
Kansas: Agricultural college, act of May 29, 1908	7,682.00	7, 581. 92
Experimental forestry.	20,000.00	20,000.64
Public park	8, 392. 51	20,000.02
Montana:	0,000.02	
University	46,080.00	46,079.78
Agricultural college	§ 90,000.00	87, 487. 75
Agricultural conege	<b>50,000.00</b>	49,986.58
Public buildings	32,000.00	31, 986. 47
-	150,000.00	147,927.88
Deaf and dumb asylums	50,000.00	49, 988, 23 48, 746, 71
Reform schools.	50,000.00 100,000.00	99, 771. 38
Normal schools	100,000.00	98, 692, 81
Militia camp.	640.00	640.00
Observatory for university.	480.00	480.00
Biological station.	160.00	160. 84
Nevada:		
University	46,080.00	45,766.08
Internal improvements	500,000.00	499, 401. 04
Penitentiary	12,800.00	12,732.96
Public buildings	12,800.00	12,704.79 89,744.11
Mining and Mechanic Arts College	90,000.00	89,744.11
New Mexico:		
University	111,080.00	110,116.32
University saline lands	100 000 00	1,622.86
Agricultural college	100,000.00	98,849.48 99,691.93
Improvement of the Rio Grande	100,000.00 50,(0).00	49,992.32
Public buildings.	32,000.00	31,473.91
	50,000.00	48,196.00
Insane asylum	50,000.00	49, 737 00
	50,000.00 50,000.00	49,737.00 50,000.18

TABLE 2.—Lands confirmed to States and Territories, etc.—Continued.

New Mexico—Continued.  Normal school Blind asylums Beservoirs Beservoirs Miner's hospital. Military institute North Dakota: University Agricultural college Public buildings Educational and charitable	Acres. 100,000.00 50,000.00 50,000.00 50,000.00 50,000.00 40,000.00 40,000.00 1 40,000.00 1 40,000.00 1 52,000.00 1 50,000.00	Acres. 100,009.8. 49,999.81 499,809.7: 49,942.56 50,014.34 45,954.93 39,751.07 89,839.16
University  Agricultural college  Public buildings  Educational and charitable	1 40,000.00 90,000.00 1 40,000.00 32,000.00 50,000.00	89,839.17
Agricultural college.  Public buildings  Educational and charitable	90,000.00 40,000.00 32,000.00 50,000.00	89,839.17
Public buildings  Educational and charitable	32,000.00	
Educational and charitable	50,000.00	40,000.0 30,342.1
Deaf and dumb asylum. Reform school. School of mines. Normal schools	40,000.00 40,000.00 40,000.00 80,000.00	49,999,8 169,993,5 39,995,7 39,882,6 40,003,5 80,005,9
Oklahoma: Normal schools Oklahoma University University Preparatory School Agricultural and Mechanical College Colored Agricultural and Normal University South Dakota:	300,000.00 250,000.00 150,000.00 250,000.00 100,000.00	292,377.00 249,440.69 148,943.65 246,513.01 97,809.33
University	46,080.00	39,999.10 46,080.12
Agricultural college	f 120,000.00	120,000,33
Public buildings	40,000.00 32,000.00 50,000.00	39,923,33 32,001,68 49,996,18
Educational and charitable.  Deaf and dumb asylums Reform schools School of mines Normal schools Missionary work Military camp ground. Insane asylum Utah:	170,000.00 40,000.00 40,000.00 40,000.00 80,000.00 160.00 640.00 640.00	170,000,31 39,999,97 39,996,24 39,999,73 80,000,00 160,00 640,00 640,00
University	f 46,090.00	45,842.18
Agricultural college Public buildings Insane asylums Deaf and dumb asylums Reform school. School of mines Normal schools. Blind asylums Reservoirs Miners' hospital.	\ \; 110, 000. 00 \\ 200, 000. 00 \\ 64, 090. 00 \\ 100, 000. 00 \\ 100, 000. 00 \\ 100, 000. 00 \\ 100, 000. 00 \\ 100, 000. 00 \\ 100, 000. 00 \\ 100, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ 500, 000. 00 \\ \$0	87, 125, 82 190, 056, 65 53, 783, 29 98, 054, 12 94, 760, 14 99, 221, 32 94, 291, 64 98, 787, 91 99, 358, 07 485, 954, 20
Washington: University	46,080.00	46, 030, 26
Agricultural college Public buildings  Educational and charitable Normal schools Scientific schools	96, 666, 60 32,000, 00 100,000, 00 200,000, 00 100,000, 00 100,000, 00	89, 438, 20 31, 986, 62 99, 986, 38 200, 000, 03 99, 981, 46 99, 980, 93
Wisconsin:		
Forestry Wyomine: University	20,000.00 46,080.00	19, 097. 79 43, 267. 91
Agricultural college Penitentiary	90,000.00	81, 925, 17 29, 997, 45
Public buildings	f 32,000.00	31,974.04
Insane asylums Educational, penal, etc. (Carbon County) Educational, penal, etc. Deaf and dumb asylums	75,000.00 30,000.00 30,000.00 260.000.00 30,000.00	74, 995, 78 29, 329, 02 29, 969, 70 240, 928, 36 29, 805, 41
Miners' hospital. Fish hatchery (Albany County).	30,000,00	29, 851, 86
Fish hatchery (Albany County). Fish hatchery. Poor farm.	490, 00 5, 000, 00 10, 000, 00	450.00 4.976.26 9.990.60

Table 3.—Miscellaneous grants in addition to those in Tables 1 and 2, the most of which have been virtually satisfied.

State.	Internal improvement.	Seminaries or univer-	Charitable, educational, or other	Agricultural and me- chanical colleges.	
	provenence	sities.	purposes.	Lands.	Scrip.
	A cres.	Acres.	A cres.	Acres.	Астев.
Alabama	500,000.00				240,000
Arkansas	500,000.00	46,080.00	10,600.00		150,000
California		46,080.00	6,400.00	150,000	
Colorado	500,000.00	46,080.00	64,000.00		
Connecticut			l <u>.</u>	<b> </b>	180,000
Delaware	<del></del>		l. <b></b>	<b> </b>	90,000
Florida	500,000.00	92,160.00	5,120.00	l	90,000
Georgia			l	l	270,000
Illinois	500,000,00	46,080,00			480,000
Indiana	500,000.00	46,080.00			390,000
lowa	500,000,00	46,080.00	3,200.00	240,000	
Kansas	500,000.00	46,080.00	6,400.00	90,000	
Kentucky	000,000.00	20,000.00	22,508.65		330.000
ouisiana	500,000,00	46,080,00			210,000
Maine	000,000.00	20,000.00			210,000
Maryland					210,000
Massachusetts					360,000
Michigan		46.080.00	3,200,00	240,000	000,000
Minnesota	500,000.00	92, 160, 00	6,400.00	120,000	
Mississippi	500,000.00	69, 120.00	0, 200. 00	120,000	210,000
Missouri	500,000.00	46,080.00	2,560.00	330,000	=10,000
Nebraska.	500,000.60	46,080.00	25,600.00	90,000	
New Jersev		20,000.00	20,000.00	30,000	210.000
New Hampshire		• • • • • • • • • • • • • • • • • • • •			150,000
New York					990,000
North Carolina					270,000
Ohio		60 120 00			630,000
Oregon		46,080.00	6,400.00	90,000	٠,٠٠٠
Pennsylvania			0, 200.00	30,000	780,000
Rhode Island					120,000
South Carolina					180,000
Tennessee			· · · · · · · · · · · · · · · · · · ·		300,000
Texas					180.000
Vermont					150,000
Virginia					300,000
West Virginia	1				150,000
Wisconsin		92, 160. 00	6,400.00	240,000	100,000
TT BOWINGIAL	500,000.00	02, 100.00	0, 400.00	270,000	
Total	8,500,000.00	967,680.00	168, 788, 65	1,590,000	8,640,000

# APPENDIX G.

#### Designations under the enlarged homestead acts.

	Acreage designated.	Fiscal year July 1, 1909, to <b>June 30</b> , 1910.		Acreage designated.	Period July 1, 1910, to November 1, 1910,		Acreage designated.
		Designa- tions.	Cancella- tions.	July 1, 1910.	Designa- tions.	Cancella- tions.	November
Arizona. Colorado. Idaho (secs. 1-5). Montana. Nevada. New Mexico. Oregon. Utah: Sections 1-5. Section 6. Washington. Wyoming.	26, 657, 280 20, 299, 840 19, 957, 960 49, 512, 960 14, 808, 520 8, 346, 560 7, 020, 642 571, 182 3, 576, 960 10, 676, 280	3,880 9,728,366 1,138,963 820,400 730,576 107,096 6,276,033	200 64,140 282,240 47,640	26, 657, 280 20, 303, 720 29, 686, 126 49, 512, 960 15, 883, 343 9, 166, 960 48, 654, 469 1, 301, 788 3, 401, 816 16, 904, 673	23, 040 5, 225, 280 739, 415 63, 886 1, 914, 080 142, 489 17, 630	46,080	26, 611, 200 20, 326, 760 5, 225, 280 30, 425, 541 49, 512, 960 15, 947, 229 11, 081, 040 6, 797, 228 1, 319, 388 3, 401, 816 17, 281, 093
Total	161, 428, 184	18, 805, 314	394, 220	179, 473, 105	8, 502, 190	46, 080	187, 929, 535

a Decrease because of redesignation under section 6.

#### APPENDIX H.

Table 1.—Progress of coal classification and valuation.

	Status on July 1, 1909.						
State.	Withdrawals outstanding (acres).	Coal lands classified (acres).	Valuation.	Value at minimum price.			
Arkansas. Colorado. Montana. New Moxico.	9, 365, 827 4, 148, 508	60,715 598,338 957,514 1,810,398	\$1,473,762 16,734,510 20,626,881 21,809,016	\$1,214,320 9,394,419 18,103,757 21,774,456			
North Dakota Oregon Utah	402, 562 379, 722 5, 282, 514 2, 252, 087	240, 814 418, 294	4, 584, 255 12, 103, 164				
WashingtonWyoming	2, 252, 087 13, 237, 918	2,097,349	58, 280, 700	37, 398, 281			
Total	45, 287, 467	6, 183, 422	135, 612, 288	98, 519, 202			
		Status on J	uly 1, 1910.				
State.	Withdrawals outstanding (acres).	Coal lands classified (acres).	Valuation.	Value at minimum price.			
Arizona		60,715	\$1,473,762	\$1,214,320			
California Colorado Montana New Mexico	6,518,845 23,020,360 2,932,000	7,720 2,058,094 1,203,814 1,816,144	585, 086 118, 818, 995 28, 163, 693 22, 042, 002	154, 404 37, 911, 729 22, 487, 099 21, 889, 384			
North DakotaOregon	379,642 5,897,958 2,207,967	240, 814 80 468, 040	4, 584, 255 1, 600 14, 981, 435	4,584,255 1,600 6,957,177			
Wyoming	12,956,520 54,461,774	4, 232, 565 10, 087, 986	250, 457, 948 441, 108, 776	72, 955, 843 168, 155, 811			
	! _ <u></u>	Status on Nov	rember 1 1010				
	Status on November 1, 1910.						
State.	Withdrawals outstanding (acres).	Coal lands classified (acres).	Valuation.	Value at minimum price.			
Arizona	118,718	60,715	\$1,473,762	\$1,214,320			
California. Colorado. Idaho	239, 903 6, 091, 779 8, 266, 509	7, 720 2, 358, 754	585, 086 144, 751, 879	154, 404 42, 156, 431			
Montana New Mexico North Dakota Oregon	22, 922, 072 2, 837, 132 18, 215, 384 107, 834 2, 869, 377	1,180,386 1,827,183 240,814 80	27, 306, 700 24, 440, 487 4, 584, 255 1, 600	22, 018, 501 22, 106, 221 4, 584, 255 1, 600			
South Dakota	6, 259, 127	485, 083	16,059,946	7, 127, 584			
Washington Wyoming	2, 207, 967 12, 796, 062	4, 213, 508	276,016,064	72, 646, 707			
Total	82,931,864	10, 374, 243	495, 219, 779	172, 010, 023			

Within the limits of these withdrawals some private lands are included, the area of which is undetermined; such lands are excluded where feasible.

